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Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly: regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa

Security Council
Sixty-seventh year

Letter dated 13 August 2012 from the Permanent Representative of Burundi to the United Nations addressed to the Secretary-General

In my capacity as representative of the current Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa, I have the honour to transmit herewith the report of the thirty-fourth ministerial meeting of the Committee, which took place in Bujumbura from 14 to 18 May 2012 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under item 96 (e) of the provisional list for the sixty-seventh session, and of the Security Council.

(*Signed*) Herménégilde **Niyonzima**
Ambassador
Permanent Representative

* A/67/150.

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Annex to the letter dated 13 August 2012 from the Permanent Representative of Burundi to the United Nations addressed to the Secretary-General

Report of the United Nations Standing Advisory Committee on Security Questions in Central Africa

A. Introduction

1. The thirty-fourth ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa was held in Bujumbura from 14 to 18 May 2012.

2. The following member States participated in the meeting: the Republic of Angola, the Republic of Burundi, the Republic of Cameroon, the Central African Republic, the Republic of Chad, the Democratic Republic of the Congo, the Republic of the Congo, the Gabonese Republic, the Republic of Equatorial Guinea, the Republic of Rwanda and the Democratic Republic of Sao Tome and Principe.

3. The United Nations Regional Office for Central Africa (UNOCA) served as the Committee's secretariat. The Secretary-General of the United Nations was represented by Abou Moussa, Special Representative of the Secretary-General for Central Africa and Head of UNOCA.

4. The following United Nations entities took part in the proceedings as observers: the United Nations Office in Burundi (BNUB), the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC), the Subregional Centre for Human Rights and Democracy in Central Africa, the Economic Commission for Africa (ECA), the subregional office for Central Africa of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and UNOCA.

5. The following entities also participated as observers: the Economic Community of Central African States (ECCAS), the International Conference on the Great Lakes Region (ICGLR) and the Regional Centre on Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States (RECSA).

6. The meeting of experts opened with a ceremony that included, inter alia, a statement by the Permanent Secretary of the Burundian Ministry of Foreign Affairs and International Cooperation, Gérard Bikebako. Among a number of points made, he recalled the Committee's key role in promoting peace and security in the subregion and said he hoped that the thirty-fourth meeting of the Committee in Bujumbura would constitute a further link in the chain enabling member States to work together more effectively to find solutions to the security challenges faced by the subregion.

7. The opening ceremony featured:

- A message from the Secretary-General of ECCAS, read out by the regional Chief of Staff of the Central Africa Multinational Force, Brigadier Daniel Savihemba Raimundo

- A message from the Secretary-General of the United Nations, read out by the Special Representative of the Secretary-General for Central Africa and Head of UNOCA, Mr. Moussa
- A statement by the Minister for Foreign Affairs and Central Africans Abroad, General Antoine Gambi
- A statement by the Minister of Defence and Former Combatants of Burundi, Major-General Pontien Gaciyubwenge, on behalf of the Minister for Foreign Affairs and International Cooperation

8. The closing ceremony featured:

- A closing statement by the Special Representative of the Secretary-General for Central Africa and Head of UNOCA
- A closing speech by the Minister of Defence and Former Combatants, Major-General Pontien Gaciyubwenge

B. Summary of the proceedings

I. Adoption of the agenda

9. The Committee adopted the following agenda:

1. Adoption of the agenda;
2. Election of the Bureau;
3. Report of the outgoing Bureau;
4. Review of the geopolitical and security situation in Central Africa;
5. Implementation of the Sao Tome Initiative:
   - Status of ratifications of the Kinshasa Convention
   - Implementation of the Code of Conduct for the Defence and Security Forces in Central Africa
6. Promotion of disarmament and arms limitation programmes in Central Africa:
   - Implementation of the Kinshasa Convention
   - Briefing by the United Nations Regional Centre for Peace and Disarmament in Africa
   - Declaration on a road map for counter-terrorism and non-proliferation of arms in Central Africa
7. Piracy and maritime security:
   - Establishment of the Central African Regional Centre for Maritime Security (CRESMAC)
   - Organization of a conference on piracy and maritime security in the Gulf of Guinea

8. Combating armed groups in Central Africa;

9. Implementation of United Nations General Assembly resolution 65/189;

10. Implementation of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security, and General Assembly resolution 65/69 on women, disarmament, non-proliferation and arms control;

11. Briefing by bodies with observer status with the Committee;

12. Report by the Secretariat of ECCAS on the institutional evolution of subregional peace and security structures and mechanisms, as well as the development of strategic partnerships;

13. Review of the financial situation of the Committee: implementation of the Libreville Declaration by member States;

14. Preparations for the commemoration of the twentieth anniversary of the Committee;

15. Place and date of the next meeting;

16. Other matters;

17. Adoption of the report of the thirty-fourth ministerial meeting.

II. Election of the Bureau

10. His Excellency Mr. Laurent Kavakure, Burundian Minister for Foreign Affairs and International Cooperation was elected Chairman of the Committee by acclamation.

11. The Committee also elected the following countries as members of the Bureau:

- First Vice-Chairman: Republic of the Congo
- Second Vice-Chairman: Republic of Equatorial Guinea
- Rapporteur: Republic of Rwanda

III. Report of the outgoing Bureau

12. The Committee took note of the report of the outgoing Bureau read by its Chairman. It commended the members of the Bureau on the high quality of their work and on their preparations for the thirty-fourth ministerial meeting. The Committee suggested that the Bureau should transmit its report to member States two weeks before the start of each meeting.

IV. Review of the geopolitical and security situation in Central Africa

13. The working paper on the review of the geopolitical and security situation in Central Africa, prepared by the ECCAS secretariat, formed the basis for the exchange of views among States.

14. The review of the geopolitical and security situation in the subregion focused on three main areas: political and institutional developments, domestic and cross-border security, and issues related to governance, the humanitarian situation and human rights.

15. The discussions pointed up contrasting developments in the geopolitical and security situation in Central Africa since the Committee's last meeting. On the one hand, significant progress has been achieved in the consolidation of democratic processes and the normal functioning of institutions. On the other hand, certain States in the subregion have had to deal with worrisome security situations.

16. With regard to domestic and cross-border security, while the calm that now prevails in some conflict zones is welcome, Central Africa has nonetheless faced a number of threats to peace and security, including acts of organized crime and maritime piracy in the Gulf of Guinea and persistent pockets of insecurity in the Central African Republic and the Democratic Republic of the Congo.

17. Member States have undertaken substantial efforts with regard to governance, the humanitarian situation and human rights. Relevant legal and institutional instruments governing this matter continue to be adopted and implemented by the various countries.

18. The Committee commended the ECCAS secretariat for its presentation of the working paper on the review of the geopolitical and security situation in Central Africa.

19. After a fruitful exchange, the Committee requested that in future the ECCAS secretariat should submit an analytical paper, together with any recommendations it might wish to make, especially with regard to the geopolitical and security situation of the subregion in general.

20. The geopolitical and security situation, country by country, is as follows:

Republic of Angola

21. Since the last meeting of the Committee in Bangui, Angola has been engaged in consolidating the stability of its democratic process, which has been following its normal course since the last presidential election and the adoption of the new constitution in 2010. At present, the country is actively preparing for the 2012 general elections.

22. In 2012, the commemoration of the tenth anniversary of the declaration of peace and national reconciliation, in accordance with the Memorandum of Understanding signed in 2002 between the União Nacional para a Independência Total de Angola (UNITA) and the Government, coincides with the country's assumption of the chair of the Community of Portuguese-speaking Countries (CPLP) and the Southern African Development Community (SADC).

23. The Government is already engaged in reviewing and updating the electoral lists, undertaking a partial reform of electoral legislation and establishing a national electoral commission.

24. It should, however, be noted that, as is normal in any democratic society, some demonstrations led by a group of young people calling for an improvement in the country's social conditions have taken place. With regard to domestic and cross-

border security, the Angolan authorities are continuing with efforts to normalize the social fabric, through the sustainable development of the national economy and the construction of social infrastructure for the benefit of the population, as well as with peacebuilding efforts. Among the actions undertaken by the Government to facilitate this process, a large-scale campaign to recover weapons in the possession of civilians, and the mine clearance process under way, are already playing an important role.

Republic of Burundi

25. As highlighted in the previous review, the Republic of Burundi is continuing with the efforts to normalize political life, the economy and security conditions that were undertaken in the period following the end of the electoral process.

26. Nonetheless, a fringe opposition group, under the umbrella of an alliance of political parties that boycotted the legislative and presidential elections in 2010, continues to call for negotiations despite the Government's openness to dialogue. Some leaders of this opposition have chosen to go into exile but are demanding from abroad the right to participate in their country's political life. The Government has appealed several times to these leaders in exile to return to Burundi in order to contribute to the development efforts under way.

27. The security situation, meanwhile, has remained generally positive, although some crimes committed by armed gangs and terrorist groups, and some cases of murder arising from land disputes, are still being recorded.

28. All this is being fuelled to a major extent by arms trafficking at the border with the Democratic Republic of the Congo, as highlighted in a United Nations report in November 2011. However, there is good cooperation with neighbouring countries on security, including efficient collaboration at all levels among military and administrative authorities, which exchange information on factors likely to disrupt security in Burundi.

29. Despite this difficult environment, the Burundian Government has continued to make significant efforts to achieve reconciliation and reconstruction, protect human rights, promote good governance, combat corruption and seek the well-being of its population through economic revitalization.

Republic of Cameroon

30. Since the Committee's last ministerial meeting, the overall climate in the Republic of Cameroon has been one of peace and stability.

31. A highlight of 2011 was the presidential election, which took place on 9 October 2011. The outcome was accepted by all candidates, although they noted some shortcomings apparently related to the very recent inception of Elections Cameroon (ELECAM), the body responsible for organizing and overseeing the elections, which the opposition suspects of being in the pay of the ruling party.

32. Since then, Cameroon has undertaken the reform of its electoral system. To that end it has recently drawn up a new electoral code, and ELECAM has decided to revise the electoral lists with the introduction of biometrics, in order to further enhance the transparency, legality and credibility of the election process.

33. Overall, the security situation has remained calm. Cameroon has made every effort to hold onto its major achievements of peace and stability. However, a number of poaching incidents were recorded in the Bouba N'Djida reserve, resulting in the slaughter of a large number of elephants there. Several steps have been taken to increase security in the region, in particular the deployment of special units, the provision of increased resources for relevant government departments and the strengthening of controls at the borders with the Central African Republic and Nigeria. In addition, a convention on cross-border security has been signed with Nigeria to strengthen border controls and help combat the activities of the Islamist group Boko Haram.

34. As for issues related to governance, the humanitarian situation and human rights, Cameroon has achieved significant improvements, as acknowledged by the international community. However, it is also recognized that Cameroon needs to make further efforts in that regard, as highlighted by a delegation of the African Commission on Human and Peoples' Rights on a visit to assess the status of human rights in the country.

35. Furthermore, the Cameroonian Government has continued its campaign to combat corruption and improve standards in public life, in particular by establishing a special criminal court, as well as bringing charges against other former senior Government officials.

Central African Republic

36. Since the last meeting the political situation in the Central African Republic has been characterized by the country's determination and efforts to consolidate its stabilization and democratization process.

37. Following presidential and legislative elections tainted by disagreement and numerous disputes, the political climate has gradually improved over the past six months. All democratic institutions are in place and operational, despite some difficulties relating to financial and material resources.

38. To meet its institutional requirements effectively, the Central African Government, in November 2011, after a participatory process, drafted a strategy paper on the economy and governance. The paper focused on three main issues: security and peace; governance and the rule of law; and economic recovery and regional integration, with the idea that peace and stability can be effectively established in this post-conflict country only by effectively stimulating the economy and improving people's living conditions. Such actions deserve encouragement and support.

39. Although there has been a noticeable improvement in domestic and cross-border security, the situation has remained fragile. The Convention des patriots pour la justice et la paix (CPJP) has finally signed a peace agreement with the Government authorities.

40. The Central African Republic has continued to face some insecurity in its northern region, generated by armed gangs with no clear ideology, particularly the Ugandan rebel group the Lord's Resistance Army (LRA). In this regard, it is to be hoped that synergies between the United Nations, the African Union, ECCAS, the United States of America and the other States concerned will bear fruit.

41. Even worse, the Central African Republic has for some time been faced with acts of violence committed by an armed gang led by Baba Laddé of Front Populaire pour le Redressement, based in Central African territory. To address this situation, Chad and the Central African Republic undertook a joint military operation in January 2012. There is also ongoing cooperation between the Chadian and Central African Heads of State.

42. Despite this sensitive climate, the Central African authorities have continued to make major efforts, especially in the area of disarmament, demobilization and reintegration, as well as security sector reform and preparations for the announced departure of the Mission for the Consolidation of Peace in the Central African Republic. Following the first phase of disarmament, demobilization and reintegration in the north of the country, a second phase has been launched in its central region.

Republic of the Congo

43. The observations made with regard to politics at the last ministerial meeting are still current, namely that the Congolese Government has been making efforts to preserve peace, national reconciliation and stability since the end of the armed conflict that afflicted the country in the 1990s.

44. At the political level, the democratic process is continuing and being consolidated, as demonstrated by the fact that the senatorial elections were organized peacefully in 2011 and that, despite a boycott by a fringe opposition group, inclusive political dialogue was held between the Government, the political parties and civil society in December 2011, ahead of the legislative elections in July and August 2012. The objective is to strengthen the democratic option by updating the electoral roll and undertaking a consensual revision of the corresponding law.

45. In terms of security, public order has continued to be effectively maintained. Similarly, the national campaign to disarm former combatants and recover weapons from them has continued with positive results. In order to consolidate the gains made in this area, the various government departments dealing with security issues consult each other on a regular basis.

46. Reference must be made, however, to the trauma caused by the explosion of an ammunition depot in Brazzaville, which left almost 300 people dead, 3,000 wounded and thousands displaced. This explosion also caused the destruction of hundreds of homes and considerable material damage. Investigations are under way to identify the reasons for the disaster and those who may be responsible for it. This situation means that there is a need for all States members of the Committee to strengthen safety measures for arms and ammunition depots.

47. With regard to governance, the authorities have kept in place the national plan to combat corruption and improve standards in public life.

48. On the humanitarian front, the Congo is committed to protecting refugees and combating the trafficking of children, as demonstrated by its signing of a joint plan of action against child trafficking, with Benin, in February 2012, and the organization of technical working groups on refugees with the Office of the United Nations High Commissioner for Refugees (UNHCR), Rwanda, the Democratic Republic of the Congo and Angola.

Democratic Republic of the Congo

49. The Democratic Republic of the Congo has continued its efforts to maintain the stable and peaceful situation described in the geopolitical review at the last ministerial meeting.

50. In terms of politics, the presidential and legislative elections held on 28 November 2011 resulted in a victory for the presidential majority. In this context, a new Bureau of the National Assembly (five members of the presidential majority and two members of the opposition) and a new Government have taken office. As a consequence, the need now is for all political actors to prioritize dialogue and consultation, with a view to preparing for the forthcoming provincial elections, planned for the first quarter of 2013.

51. The Democratic Republic of the Congo is continuing preparations for the fourteenth Summit of the International Organization of la Francophonie, to be held from 12 to 14 October 2012.

52. With respect to domestic and cross-border security, the most recent development is the mutiny that has been taking place since the start of May 2012 within the Forces armées de la République Démocratique du Congo (FARDC), triggered by a small part of the forces of the former Congrès national pour la défense du peuple (CNDP). The mutiny has given rise to the M23 movement, led by Colonel Makenga, Bosco Ntanganda's former second-in-command. Their demands do not call into question the March 2009 Peace Agreement between the Government of the Democratic Republic of the Congo and CNDP. Rather, they are personal manoeuvres by Mr. Ntanganda, who is the subject of an arrest warrant from the International Criminal Court.

53. The Governments of the Democratic Republic of the Congo and Rwanda are working closely together to stabilize peace in the subregion. This work shows their desire to counter once and for all the emergence of new armed groups.

54. With regard to securing the country's shared borders with Burundi, FARDC and the Burundi National Defence Force (BNDF) are conducting joint operations to track down the armed groups, with commendable results.

55. Military operations against the Forces démocratiques de libération du Rwanda (FDLR) are continuing, through the joint efforts of FARDC and the Forces armées rwandaises, with logistical support from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

56. FARDC and the Uganda People's Defence Forces (UPDF), with logistical help from MONUSCO, are tracking down the Ugandan rebel group Allied Democratic Forces/National Army for the Liberation of Uganda (ADF/NALU).

57. Light infantry units of FARDC and UPDF, trained by the United States army, have managed to markedly reduce the number of deadly attacks by LRA in the north-east of the Democratic Republic of the Congo.

58. The joint efforts of the Democratic Republic of the Congo, the Central African Republic, the United States and Uganda against the barbaric acts of LRA have led to the arrest of Caesar Acellam, fourth in the movement's chain of command.

59. The establishment by ICGLR of an intelligence fusion centre, with its headquarters in Goma, is worthy of note. The centre is a very important tool for improving communication between the various intelligence services.

60. As part of the implementation of its National Action Plan on small arms and light weapons, the Democratic Republic of the Congo has collected and destroyed a large quantity of weapons.

61. With regard to the humanitarian situation, there are now more than one and a half million internally displaced persons in the Democratic Republic of the Congo. The Government has made it an urgent priority to assist them and ensure that they can return to their areas of origin.

62. The latest developments in North Kivu have led to the displacement of 32,000 refugees, of whom 24,000 are in Uganda and 8,000 are in Rwanda. Arrangements are being made for their gradual return to the Democratic Republic of the Congo.

63. With regard to human rights, the Democratic Republic of the Congo remains determined to prosecute all those identified as being responsible for criminal acts. It also remains open to working jointly with all bodies concerned by the matter.

Gabonese Republic

64. The overall situation in the Gabonese Republic since the last ministerial meeting has, as ever, been peaceful and stable. However, a number of political/legal and social observations have been made.

65. Peaceful legislative elections were organized in the country, against a backdrop of protest and a boycott by part of the opposition, which demanded that the elections should be postponed so that biometrics could be introduced into the electoral process and the electoral roll revised. Since the Constitutional Court did not judge these facts to be an event of force majeure, the Commission nationale autonome et permanente (CENAP), the body responsible for organizing and overseeing the elections, proceeded to hold the legislative elections on 17 December 2011. These elections, which were described as credible and transparent by international observers, resulted in victory for the ruling party, the Parti démocratique gabonais. The Government has undertaken to introduce biometrics and revise the electoral roll by 2013.

66. The social and security climate has remained positive, with the successful organization of the Africa Cup of Nations football championship. Admittedly, insecurity persists in the big cities, in the form of isolated ritual crimes and a strike at Omar Bongo University, where courses have been somewhat disrupted. Nevertheless, the country remains stable, with encouraging momentum as the Government implements reforms to enhance good governance, strengthen the rule of law, promote and protect human rights (with the competent authorities holding criminal hearings in respect of those responsible for the aforementioned crimes), and combat social inequality and the high cost of living.

67. On a completely different matter, Gabon hosted a number of meetings with Cameroon and Equatorial Guinea (in March and April 2012) to discuss, inter alia, questions related to borders and cross-border security. At the end of those meetings, the three countries reiterated their commitment to evaluating the management of migratory flows and cross-border security, identifying the difficulties encountered in

the application of the associated legal instruments, and providing information that would help to find new, reliable and sustainable strategies and solutions to those problems.

Republic of Equatorial Guinea

68. Since the Committee's thirty-third ministerial meeting, national life has continued to be dominated by the successful joint organization of the African Cup of Nations football championship in January and February 2012. Considerable efforts were made to strengthen peace and security in the country in the run-up to the event.

69. At the political level, a referendum was successfully held in November 2011 on a constitutional reform that will in future limit the president to two terms of office (97 per cent voted in favour of the reform). In April 2012 the fifth regular congress of the ruling party, the Partido Democrático de Guinea Ecuatorial (PDGE), was organized on the theme of the consolidation of democracy in the country, with the participation of all national political forces and with those of the subregion invited.

70. On the sociocultural front, the UNESCO-Equatorial Guinea Prize has just been unanimously approved; the aim of the prize is to help initiatives related to research in the life sciences.

71. The area of domestic and cross-border security, meanwhile, has been characterized by stability, with the national security services functioning normally.

72. In that regard, Equatorial Guinea has continued to control the constant flow of migrants into its territory, and to contain the ever growing problem of crime in its big cities. By way of example, incidents have regularly been reported in the city of Kye-Ossi, causing the temporary closure of the border with Cameroon. The authorities have therefore decided to strengthen their bilateral cooperation with Cameroon and Gabon through meetings of ad hoc cross-border security committees.

Republic of Rwanda

73. Since the Committee's last ministerial meeting, the overall situation in Rwanda has been characterized by stability and the normal functioning of its institutions, as has been the case in the country for more than 10 years.

74. At the political level, after the latest presidential and senatorial elections, the country has turned resolutely to economic and social development, thanks in particular to exemplary governance, as recognized by the observers. The World Bank's latest *Doing Business* report ranked Rwanda in third place among the countries of sub-Saharan Africa in terms of ease of doing business.

75. Similarly, according to Transparency International, Rwanda is the fourth least corrupt country in sub-Saharan Africa. This good governance and ease of doing business is encouraging foreign companies to invest in the country.

76. The favourable socioeconomic climate is helping to strengthen the credibility of, inter alia, Rwanda's judicial system, to the extent that, for the first time, the International Criminal Tribunal for Rwanda (ICTR) has just transferred one of its detainees, Jean Bosco Uwinkindi, to be tried there.

77. Domestic and cross-border security continues to be effectively maintained. The trials of the perpetrators of the grenade attacks carried out in the country since 2010, and their accomplices, should be seen as part of this process.

78. At the same time, the Rwandan authorities suspended four high-ranking army officers pending an inquiry, as a result of which one of them, suspected of committing acts of indiscipline with civilian elements from the Democratic Republic of the Congo, has been cleared.

Democratic Republic of Sao Tome and Principe

79. Since the last ministerial meeting, held in Bangui, the general situation in the Democratic Republic of Sao Tome and Principe has been one of peace and stability.

80. In political terms, following the country's elections, the Government is seeking ways of combating the poverty faced by certain segments of the population.

81. In that regard, measures are being taken to improve the business environment and so attract more foreign investors.

82. In terms of domestic and cross-border security, the situation is stable despite a difficult social climate, essentially attributable to the international financial crisis, which has led to a reduction in aid from partners.

83. Despite this difficult situation, the Government has continued to make encouraging progress, raising the salaries of the lowest-paid civil servants from January 2012 following fruitful negotiations with the main trade unions.

Republic of Chad

84. The overall situation in the Republic of Chad since the last ministerial meeting has been one of peace and stability. With respect to domestic politics, the dialogue between the Government and the opposition has continued. In this spirit, the election timetable has been maintained and adhered to despite certain disagreements between the Government and the opposition.

85. The electoral cycle began with the legislative elections of 13 February 2011, followed by presidential elections in April. The ruling party, the Mouvement patriotique du salut (MPS), won an absolute majority of 133 of the 188 seats in the National Assembly. The MPS candidate also won the presidential election with a large majority.

86. The electoral cycle ended in 2012, with municipal elections held on 12 January, which were also won by the ruling party. This renewed political stability has allowed the Government to embark on reforms in the areas of governance and infrastructure construction. The process of verifying and reducing personnel numbers in the defence and security forces, which has been initiated by the Government, should be seen as part of this process.

87. With regard to domestic and cross-border security, as pointed out at the last ministerial meeting, the peace process, fuelled by a favourable political climate, is progressing positively, to the extent that there are now virtually no armed rebels on Chadian territory.

88. It should be noted, however, that the crisis in Libya has created a climate of insecurity in the north of the country, with the return of thousands of Chadian nationals.

89. Lastly, the reappearance of an armed group along the border between Chad and the Central African Republic constitutes an obstacle to movement.

V. Implementation of the Sao Tome Initiative

Status of ratifications of the Kinshasa Convention

90. The States members of the Committee expressed the will and resolve of their respective Governments to ratify the Convention. The Committee noted the measures taken by the competent national authorities in all States members of the Committee to ensure that the Convention would enter into force no later than the date of the ceremony commemorating the twentieth anniversary of the Committee, planned for December 2012 in Brazzaville.

91. The Committee welcomed the announcement that the Central African Republic had ratified the Kinshasa Convention.

Implementation of the Code of Conduct for the Defence and Security Forces in Central Africa

92. The Committee decided to defer consideration of this item to its thirty-fifth meeting in Brazzaville.

VI. Promotion of disarmament and arms limitation programmes in Central Africa

Implementation of the Kinshasa Convention

93. Some member States reported on measures taken to implement the Convention in their respective countries. The representative of Cameroon gave an account of that country's cooperation with ECCAS. The representative of Burundi noted that five of the States members of the Committee, including Burundi, were signatories to the Nairobi Protocol. He noted that his country had a permanent national commission to combat the proliferation of small arms and light weapons, and listed some of its activities. He also reported on the experiences in implementing the Convention that Burundi was sharing with certain other States members of the Committee. The representative of the Congo said that his country also had a weapons management unit that had reviewed the plan for implementing the Convention and identified 71 tasks to be accomplished, for which he hoped ECCAS would provide assistance.

94. A representative of the ECCAS secretariat reported to the Committee on activities conducted during the reporting period in three of its main focus areas: reporting, publication and dissemination of information on the dangers of small arms and light weapons; development of institutional capacities at both the subregional and national levels; and cooperation and exchange of experiences with partners.

95. With regard to the reporting, publication and dissemination of information, the representative of the ECCAS secretariat reported on the drafting, publication and distribution, by various government agencies and civil society organizations in Central Africa, of educational materials on the dangers of illicit trafficking in small arms and light weapons in the subregion. The materials consisted of a booklet on procedures for the establishment and operationalization of national commissions to combat the proliferation of small arms and light weapons in Central Africa (May 2012), a pamphlet on ECCAS activities in support of efforts by States to prevent, combat and eliminate illicit trafficking in small arms and light weapons in Central Africa (May 2012), and a curriculum for female trainers on the subject of women, armed violence and control of small arms and light weapons in Central Africa (May 2012).

96. With regard to the development of institutional capacities, the ECCAS Secretariat had continued to strengthen institutional capacities at both the subregional and national levels. In N'Djamena, from 7 to 10 May 2012, it had held a subregional training seminar for women trainers from agencies with responsibility for small arms and light weapons on the subject of women, armed violence and control of small arms and light weapons in Central Africa. The seminar had been made possible by collaboration between the International Action Network on Small Arms (IANSA) Women's Network and the Chadian Government, with financial support from the European Union.

97. At the national level, in April 2012, ECCAS had provided technical support to the Gabonese national focal point for small arms and light weapons for the creation and drafting of the terms of reference of a campaign to register firearms and issue licences to own and carry such weapons in all nine provinces of Gabon. On 18 and 19 April 2012 in Libreville, in collaboration with the Gabonese Government, it held a technical preparatory meeting for the establishment of a national commission to combat the proliferation of small arms and light weapons in Gabon. That meeting brought together representatives of ministerial departments, the two chambers of Parliament and civil society organizations.

98. With regard to cooperation and exchange of experiences, the ECCAS secretariat has exchanged experiences and best practices in combating the misuse of small arms and light weapons with a number of partners, in particular the African Union Commission, the United Nations Development Programme (UNDP), IANSA, the European Union and RECSA.

99. The Committee took note of a number of challenges that had been faced by the ECCAS secretariat in its follow-up and coordination role, which included a lack of financial support; the insufficient number of national commissions on small arms and light weapons to serve as the competent government authorities and liaise with ECCAS and other partners; failure of member States to attend certain international meetings at which the Central African position needed to be presented and defended; and failure to ratify the Kinshasa Convention in order to enable its entry into force and full implementation.

100. The Committee welcomed the information provided by the member States and ECCAS on implementation of the Convention and encouraged the continuation of the efforts made. It likewise welcomed the interest in the issue shown by partners and called on them to provide greater assistance to the countries of the subregion and to ECCAS in their efforts to implement the Convention.

Briefing by the United Nations Regional Centre for Peace and Disarmament in Africa

101. The representative of UNREC gave a briefing covering conventional arms, weapons of mass destruction, and various other disarmament and arms control matters.

102. With regard to conventional weapons, the Committee was briefed on the session held in New York from 19 to 23 March 2012 of the preparatory committee for the second United Nations Conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It was also updated on the small arms review Conference itself, scheduled to be held in New York from 27 August to 7 September 2012, which will review progress on the implementation of the Programme of Action and the International Tracing Instrument. The representative of UNREC stressed that the deadline for submission of national reports was mid-March 2012. Only two States members of the Committee had thus far submitted their reports. UNREC would hold a regional meeting, which could take place at the end of June 2012, to help African States better prepare for the review Conference.

103. The representative of UNREC also informed the Committee about timetables and measures taken in connection with the arms trade treaty. He reported on common positions developed by subregions, and noted that UNREC, in collaboration with IANSA and the African Union Commission, and with the financial support of the Australian Government, was planning a consultation on the arms trade treaty to be held on 21 and 22 May 2012 in Addis Ababa.

104. The representative of UNREC also touched on ammunition management, and described the new United Nations Saferguard programme to secure ammunition depots. He emphasized the importance of good ammunition stockpile management, and noted that the United Nations, under the Saferguard programme, had drafted the International Ammunition Technical Guidelines for safer and more secure stockpile management of conventional ammunition.

105. With regard to weapons of mass destruction it was noted that although all the Central African States had signed the Treaty of Pelindaba, only six had ratified it. The representative gave an account of the meeting of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons held in Vienna from 30 April to 11 May 2012, and noted the obligation of States Members of the United Nations to submit their first reports on measures taken or planned to implement United Nations Security Council resolution 1540 (2004). Five States in Africa had not yet submitted their first reports.

106. Turning to various other disarmament and arms control matters, the representative of UNREC reported that the Secretary-General's Advisory Board on Disarmament Matters had held its fifty-seventh session from 22 to 24 February 2012 in New York. Its fifty-eighth session was scheduled to be held in Geneva from 4 to 6 July 2012.

107. With regard to the establishment of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security, the representative of UNREC drew attention to the Group's report (A/65/201).

Declaration on a road map for counter-terrorism and non-proliferation of arms in Central Africa

108. The representative of UNOCA recalled the recommendations adopted by the Committee at its thirty-third meeting regarding implementation of the Declaration on a road map for counter-terrorism and non-proliferation of arms in Central Africa. He said that UNOCA, since it did not have the necessary expertise on counter-terrorism and non-proliferation of arms, particularly in Central Africa, had addressed letters to both UNREC and the Counter-Terrorism Committee Executive Directorate (CTED) with a view to facilitating implementation of the road map. The documents sent to UNOCA by CTED and UNREC had been distributed to delegations.

109. The Committee decided to consider those documents at its thirty-fifth meeting in Brazzaville.

VII. Piracy and maritime security

Operationalization of the Central African Regional Centre for Maritime Security

110. The Committee was informed that, following the signature by the ECCAS Heads of State and Government, on 24 October 2009 in Kinshasa, of the Protocol on the strategy to secure the vital interests of the member States of ECCAS in the Gulf of Guinea, the implementation of the strategy — which involves the operationalization of CRESMAC — has suffered from funding problems, as the expected contributions have not been received.

111. The Committee noted that, further to the directive arising from the 12th Defence and Security Commission (DSC) meeting held in July 2011 in Douala, Cameroon, regarding the establishment of an expert working group charged with the development of CRESMAC, the group had met from 21 to 23 April 2012 in Pointe-Noire, the headquarters of CRESMAC in the Republic of the Congo.

112. The Committee also received an update on exceptional contributions and the proposed 2013 budget for CRESMAC, estimated at 1,851,880,000 CFA francs (US$ 3,703,760).

113. Furthermore, the Committee noted a number of recommendations made by the experts regarding the next steps in the process of operationalizing CRESMAC; in particular, they recommended the convening of a meeting, before September 2012, of the ministers responsible for maritime transport of the States signatories to the Protocol, to raise awareness of the need to budget for the requirements of CRESMAC in 2013; continuation of work through two final meetings of the expert working group; and establishment of an operational core team based on the working group model, with its members designated by DSC (11 members).

114. The Committee took note of the political will shown by the Republic of Cameroon, the Republic of the Congo and the Republic of Equatorial Guinea for the operationalization of CRESMAC and:

(a) For the multinational coordination centre in zone D:

- Provision by Cameroon of a developed site to accommodate the centre
- Logistical support for patrol vessels in zone D

- Provision by Equatorial Guinea of two studios and a liaison vehicle for commanders of patrol vessels belonging to the ECCAS Task Group, based in Malabo
- Provision by Cameroon of four apartments for officers from Gabon, Equatorial Guinea and Sao Tome and Principe serving in the multinational coordination centre in zone D in Douala; in addition, one pick-up and one Prado have been allocated to them
- Operational commitment by Equatorial Guinea to provide a new patrol vessel appropriate to the mission

(b) For CRESMAC infrastructure:

- A three-storey building to accommodate CRESMAC is under construction by the Republic of the Congo in Pointe-Noire

Organization of a conference on piracy and maritime security in the Gulf of Guinea

115. The States noted that funding problems are also hindering the organization of this conference. The idea is to ensure that the conference is highly representative of the different government departments and organizations.

116. The Committee took note of Cameroon's renewed commitment to hosting the maritime conference and the serious discussions that are under way between ECCAS and the European Union on its funding.

VIII. Combating armed groups in Central Africa

117. The representative of UNOCA made a presentation in which he highlighted the concern of the international community regarding the existence of armed gangs and the consequences of their activities in the Central African subregion.

118. He particularly emphasized the harmful activities of LRA in four countries, two of which are in Central Africa (the Central African Republic and the Democratic Republic of the Congo). In that regard, he referred to the Security Council's presidential statement S/PRST/2011/21, which strongly condemned the attacks carried out by LRA in parts of Central Africa.

119. Through this statement, the Security Council encouraged UNOCA, inter alia, to work with the United Nations missions and the African Union to develop a regional strategy for international humanitarian, development and peacebuilding assistance in the LRA-affected area. That strategy should allow the enhancement of cross-border mechanisms to improve civilian protection, early warning capacity, humanitarian access and response, and appropriate reintegration support for those returning from displacement, abductees and ex-combatants, as well as strengthening the overall capacity of affected States to extend their authority throughout their respective territories.

120. The representative reported on the activities of the Special Representative of the United Nations Secretary-General, the Head of UNOCA and the African Union Special Envoy in developing the strategy recommended by the Security Council.

121. The representative of ICGLR welcomed the establishment of UNOCA and said that ICGLR also provided significant support for the implementation of the African Union Regional Cooperation Initiative against the Lord's Resistance Army.

122. The Committee appreciated and encouraged those various initiatives. In addition, it welcomed the arrest of Caesar Achellam Otto, an LRA combatant, on 12 May 2012 in the Central African Republic. It stated that the capture was the result of joint efforts between the affected countries, their partners and subregional, regional and international organizations. The Committee stressed the need to develop such synergies in combating armed groups and called on the international community to continue working to find rapid solutions to the unbearable humanitarian plight of the victims of these armed groups, especially women and children.

123. The Committee particularly appreciated the establishment in Goma of an intelligence fusion centre with a view to the eradication of negative forces in the subregion, the fight against illegal exploitation of natural resources, and the organization in Kampala of a special summit on combating gender-based sexual violence.

IX. Implementation of General Assembly resolution 65/189

124. The Committee followed with interest the presentation made by the Gabonese delegation on the implementation of General Assembly resolution 65/189 on International Widows' Day.

125. In Gabon, the resolution strengthens the national legal and institutional framework on the matter and sends a message of hope, solidarity and responsibility with a far-reaching impact, given that it will help to ensure genuine social cohesion.

126. The Government of Gabon, driven by fresh impetus in the implementation of the resolution, has taken a number of actions, including the amendment of some provisions of articles 79 and 81 of Act No. 6/75 of 25 November 1975 instituting a social security code (in the process of adoption by Parliament); the amendment and repeal of some provisions of Act No. 19/89 of 30 December 1989 relating to the adoption of the second part of the civil code (in the process of adoption by Parliament); the revision of the penal code, Act No. 4/96 of 11 March 1996 establishing the State pensions system, Act No. 8/91 on the general statutes of civil servants, Act No. 18/93 on the general statutes of the civil service and the decrees implementing those acts.

127. The reforms undertaken by the Government of Gabon are supported by associations and non-governmental organizations that, together with the Sylvia Bongo Ondimba Foundation, have pooled their efforts and advocate three strategic lines of action for the short, middle and long term.

128. Gabon intends, during its second annual celebration of International Widows' Day, on 23 June 2012, to evaluate its progress in implementing the short-term lines of action and, more importantly, to maintain its focus so as to ensure that the medium- and long-term goals are also met.

129. The Committee noted that implementation of the resolution represents a strong commitment to the women and orphans of the world, especially those living in Central Africa.

130. It urged the member States to implement this resolution and, at the same time, requested partners to provide support.

X. Implementation of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security, and General Assembly resolution 65/69 on women, disarmament, non-proliferation and arms control

131. The Committee reaffirmed the complementary nature of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009), as well as General Assembly resolution 65/69, and emphasized that these resolutions are essential tools for the prevention and resolution of conflicts and for peacebuilding and reconstruction in Central Africa.

132. The Committee took note of the presentation given by the representative of Burundi, which mainly concerned the incorporation of the gender dimension and involvement of women in the promotion of security, peace and disarmament. In that regard, the Committee welcomed the establishment in Burundi of a steering committee, which included all concerned stakeholders, to implement Security Council resolution 1325 (2000). It appreciated the adoption of an action plan to integrate women into the national police with a target of 10 per cent of the workforce by 2017, and the policy for recruiting women in the national defence force.

133. The Committee was informed of the national training plan under way on combating the proliferation of small arms and light weapons. The workshops bring together 25 delegates per province and are organized to raise awareness of the issue of gender and small arms and light weapons, with the aim of establishing a national network to combat gender-based armed violence, in accordance with the recommendations of the seminar on gender and small arms and light weapons held in Johannesburg, South Africa, from 23 to 26 April 2012.

134. The Committee encouraged member States to continue their efforts to implement the Security Council and General Assembly resolutions covered by the agenda item under consideration.

XI. Briefing by bodies with observer status with the Committee

135. The Committee noted with interest the briefing provided by the Subregional Centre for Human Rights and Democracy in Central Africa concerning the situation of human rights in the subregion.

136. The briefing discussed discrimination against vulnerable groups, including their participation in the political life of their respective countries, as well as human trafficking and migration, particularly of women and children. In cooperation with subregional States and partners, the Centre had organized a workshop in Yaoundé in January 2012 as a follow-up to the migration workshop which it had held in 2010.

The Centre had contributed financial and technical assistance to the inception of the regional campaign to prevent and combat human trafficking, which had taken place in Pointe-Noire, Republic of the Congo, in December 2011.

137. Results as regards democracy, elections and governance were mixed. Member States had, however, been making efforts, and there had been some progress. That impetus should be encouraged and supported.

138. The representative of the Yaoundé subregional office of the Economic Commission for Africa (ECA) made a brief presentation regarding ECA and, in particular, the office's programme on post-conflict management and governance.

139. The Committee was informed that the participants at a forum held in Bujumbura from 8 to 10 December 2009 regarding rehabilitation, post-conflict reconstruction and economic revitalization in Central Africa had recommended that a "council of elders" should be established as a mediator for the prevention and management of conflict or, alternatively, that the powers of the Secretary-General of ECCAS in respect of mediation should be strengthened.

140. The Committee noted that the subregional office of ECA was prepared to provide member States and regional economic communities with advice and short-term technical assistance in order to build capacities for peace, security and sustainable development. The Committee encouraged member States to explore options for cooperation with ECA with a view to benefiting from such assistance.

141. The representative of UNREC reiterated his appeal for member States to take part in preparatory meetings concerning deadlines for disarmament in general and the arms trade treaty in particular.

142. The Committee heard with interest the briefing of the Regional Director of UN-Women for the Central Africa region, which discussed the mission, structure and priority activities of her office, as well as the situation and prospects of women in Central Africa.

143. The Committee took note of the information provided by the Regional Director. It welcomed certain member States' efforts in respect of policies to promote and protect women's rights. It expressed appreciation for the various proactive measures taken in order to address the deficit in women's education, recognition of their rights and integration in economic and social life as compared with men.

144. The Committee nevertheless found that further efforts were needed, especially in rural areas, in order to enable women to be effective stakeholders and beneficiaries of development, particularly with regard to education, health, employment, access to credit and means of production and, not least, leadership.

145. The Committee welcomed the readiness of the subregional office of UN-Women to continue supporting member States in strengthening the capacities of women in the subregion. It commended UN-Women, UNOCA and the ECA subregional office for Central Africa for their determination to cooperate in order to improve synergies and find solutions to the issues facing the Central African subregion, particularly with regard to implementation of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1960 (2010), including by putting in place an effective network of women mediators for peace and security.

146. The Committee took note of the presentation given by the representative of ICGLR concerning his mandate and activities.

147. In particular, it welcomed the establishment of an intelligence fusion centre in Goma with a view to the eradication of negative forces in the subregion; the fight against illegal exploitation of natural resources; and the convening of a special summit in Kampala on combating gender-based sexual violence.

148. The Committee expressed concern at the illicit exploitation of natural resources to fund conflicts in Central Africa. It commended ICGLR for its initiative, in cooperation with other partners, to put in place tools to prevent and resolve conflicts.

149. The Committee commended the efforts of ICGLR to promote cross-border security. It noted that ICGLR was prepared to cooperate with UNOCA on cross-border security issues.

150. The representative of RECSA handed out a document concerning his agency's activities at the continental level. He had secured European Union funding for activities to prevent, control and reduce the proliferation of small arms and light weapons in Africa, excluding North Africa. Those activities were organized through four regional economic communities: ECCAS, the Economic Community of West African States, SADC and the East African Community. Relevant programmes included support for civil society initiatives and for the establishment of national committees on small arms and light weapons; support for the development of national plans to manage small arms and light weapons; harmonization and updating of legislation; and destruction of surplus or obsolete weapons.

151. The Committee commended the efforts made by RECSA and encouraged it to continue its work, particularly the establishment of forums to manage shared borders in Central Africa.

152. The representative of UNOCA provided an overview of the Office's conflict prevention and peacebuilding activities. He said that UNOCA played an active role in combating LRA, particularly through its strong support for the African Union Regional Cooperation Initiative against the Lord's Resistance Army.

153. He said that between January and April 2012, the Special Representative of the Secretary-General for Central Africa and Head of UNOCA had conducted joint missions, in collaboration with the African Union Special Envoy for the LRA issue, in the four countries affected by the armed group's activities. He recalled that the fight against LRA, which the African Union defined as a terrorist group, was one of the priorities of UNOCA for 2012.

154. He informed the Committee of the Office's other priorities, namely good offices and mediation; electoral processes; the fight against piracy in the Gulf of Guinea; youth employment and State stability; support for the work of the Committee, for which UNOCA acts as secretariat; and support for the capacity-building of subregional organizations. With regard to the latter, the Committee appreciated the spirit of collaboration between UNOCA and ECCAS, which had signed a framework agreement of cooperation on 3 May 2012.

155. The representative of UNOCA stated that the Office had recently taken significant action to deploy preventive diplomacy and make the international community better aware of peace and security issues in the Central African

subregion. It had held regular meetings with diplomats, representatives of international organizations and key partners such as the media and academic institutions.

156. The Committee welcomed the efforts of observers, particularly those of the United Nations, to coordinate their work in order to improve results on the ground. It encouraged them to redouble their efforts to continue providing assistance to the Central African subregion.

XII. Report by the secretariat of the Economic Community of Central African States on the institutional evolution of subregional peace and security structures and mechanisms, as well as the development of strategic partnerships

157. The Committee heard with interest a presentation by the secretariat of ECCAS concerning the institutional evolution of subregional peace and security structures and mechanisms, as well as the development of strategic partnerships.

158. The Committee was informed of the challenges facing the Council for Peace and Security in Central Africa and the Mission for the Consolidation of Peace in the Central African Republic. In particular, the Committee was informed of the measures in place for the withdrawal of the Mission by 31 December 2013 in accordance with the outcomes of the first extraordinary meeting of the Defence and Security Commission held in Bangui on 10 and 11 April 2012. The Committee followed up other recent activities of the Central Africa Multinational Force with regard to centres of excellence and civilian, police and military components.

159. ECCAS explained the operation of the early warning mechanism for Central Africa and highlighted the challenges which it faced. Since the conference of Heads of State and Government held in N'djamena in January 2012, a director for the mechanism had yet to be appointed. The Committee commended the quality of the specialized entity's work and highlighted the need to strengthen its capacity, in terms of both human and financial resources, in order to maximize its output.

160. The Committee welcomed developments in the strategic partnerships entered into by ECCAS and the African Union with the European Union, in particular the African Peace Facility and the Programme of Support in the Areas of Peace and Security.

XIII. Review of the financial situation of the Committee: implementation of the Libreville Declaration by member States

161. The Committee commended the two member States of the Committee that had contributed to its Trust Fund and appealed to those States that had not done so to comply with their commitments.

162. The Committee noted that unless robust measures were taken by States, the adverse financial situation could affect the smooth functioning of the Committee.

163. The Committee noted the States' political commitment and encouraged them to comply with their commitments under the Libreville Declaration.

XIV. Preparations for the commemoration of the twentieth anniversary of the Committee

164. The Committee noted that, in view of the Committee's financial difficulties, the preparatory committee had proposed that the anniversary should be commemorated at its thirty-fifth meeting. The Committee therefore decided that its twentieth anniversary would be commemorated at its thirty-fifth meeting.

165. The Committee highlighted the importance of commemorating its twentieth anniversary and reiterated its gratitude to the Government of the Republic of the Congo for agreeing to host its thirty-fifth meeting and the celebration of its twentieth anniversary.

166. The Committee recalled that activities related to that celebration would be funded exclusively from the Trust Fund. It therefore appealed to the political commitment of member States, calling on them to comply with their financial obligations in order to create the conditions for a successful commemorative meeting.

XV. Place and date of the next meeting

167. The Committee decided to hold its thirty-fifth ministerial meeting in Brazzaville.

168. The meeting will take place from 3 to 7 December 2012.

XVI. Other matters

169. The secretariat suggested that member States should provide it with a list of names and contact details of focal points and their alternates in order to improve communication on issues concerning the Committee's work.

170. The secretariat also suggested that the Committee should, at its thirty-fifth meeting, give substantive consideration to the question of the Committee's use of official and working languages.

171. The Committee took note of the suggestions made by the secretariat.

XVII. Adoption of the report of the thirty-fourth ministerial meeting

172. The Committee adopted the present report on 18 May 2012.

C. Expression of thanks

173. The following expression of thanks was read out:

> "We, representatives of the States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, gathered on the occasion of the thirty-fourth ministerial meeting, from 14 to 18 May 2012 in Bujumbura,

Reaffirm our attachment to the ideals of peace, stability and security that are so necessary for our respective peoples and for the socioeconomic development of our subregion;

Welcome the efforts made by our countries, individually and collectively, to promote peace, security, stability and development;

Welcome the atmosphere of conviviality, brotherhood and mutual trust that has prevailed throughout our work;

Express our sincere thanks and our profound gratitude to His Excellency Mr. Pierre Nkurunziza, President of the Republic of Burundi, and to the Government and people of Burundi, for the warm and fraternal welcome we have received during our stay in the Republic of Burundi."

Bujumbura, 18 May 2012

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Item 70 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

The right to education

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly, in accordance with Human Rights Council resolution 8/4, the report of the Special Rapporteur on the right to education, Kishore Singh.

* A/67/150.

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Report of the Special Rapporteur on the right to education

Summary

The present report is submitted pursuant to Human Rights Council resolutions 8/4 and 17/3. It is devoted to technical and vocational education and training from a right to education perspective. It highlights international obligations as well as political commitments to promote technical and vocational education and training. The report analyses norms and standards developed through international instruments, and underlines the importance of national-level normative action to maximize the contribution of technical and vocational education and training to empowerment and social and economic development.

The Special Rapporteur stresses specific characteristics of technical and vocational education and training as a right, and analyses evolving national legal and policy frameworks. He underlines the need to ensure quality in such education and training and the responsibilities of various stakeholders involved in its implementation. The report also addresses the importance of technical and vocational education and training in the post-2015 "Education for All" and development agendas and concludes with a set of recommendations.

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolutions 8/4 and 17/3. It is devoted to technical and vocational education and training from a right to education perspective.

2. Technical and vocational education is defined as "all forms and levels of the educational process involving, in addition to general knowledge, the study of technologies and related sciences and the acquisition of practical skills, know-how, attitudes and understanding relating to occupations in the various sectors of economic and social life".[1] For the purposes of this report, the term technical and vocational education is "those aspects of the educational process involving, in addition to general education, the study of technologies and related sciences, and the acquisition of practical skills, attitudes, understanding and knowledge relating to occupations in various sectors of economic and social life",[2] which "applies to all forms and levels of technical and vocational education provided in educational institutions or through cooperative programmes organized jointly by educational institutions, on the one hand, and industrial, agricultural, commercial or any other undertaking related to the world of work, on the other".[3] The Special Rapporteur further underlines that "apprenticeship" is also an important part of technical and vocational education and training.

3. The report highlights international obligations as well as political commitments for technical and vocational education and training. It analyses norms and standards developed through international instruments and underlines the importance of national-level normative action to maximize the contribution of technical and vocational education and training to empowerment and social and economic development. The Special Rapporteur stresses its specific characteristic as a right, and analyses evolving national legal and policy frameworks of technical and vocational education and training. He addresses the need to ensure quality in such education and training and the responsibilities of various stakeholders involved in its implementation. The report also addresses the importance of technical and vocational education and training in the post-2015 Education for All (EFA) and development agendas and makes a set of recommendations.

4. Since submitting his last report to the General Assembly (A/66/269), the Special Rapporteur on the right to education conducted country visits to Kazakhstan in September 2011 and Tunisia in May 2012. He presented his report on the visit to Kazakhstan along with his annual thematic report (A/HRC/20/21) to the Human Rights Council at its twentieth session in June 2012. Pursuant to the priorities identified in his initial report (A/HRC/17/29 and Corr.1), the Special Rapporteur has dedicated this annual thematic report to norms and standards for quality in education, taking into account national experiences in this regard and the views of United Nations agencies, international organizations and civil society organizations.

5. During the reporting period, the Special Rapporteur continued to participate in a number of public events on education and collaborate with States, international organizations and non-governmental organizations. In his statements and

[1] UNESCO Convention on Technical and Vocational Education (1989), article 1 (a).

[2] UNESCO, Revised Recommendation concerning Technical and Vocational Education (2001), annex, para. 2.

[3] UNESCO Convention on Technical and Vocational Education, article 1 (b).

interventions made at various forums, he consistently underlined the relevance of technical and vocational education.

6. In August 2011, the Special Rapporteur participated in the first World Summit of Peoples of African Descent, organized in La Ceiba, Honduras, in the context of General Assembly resolution 64/169 proclaiming 2011 the International Year for People of African Descent. In October, the Special Rapporteur participated in the Social Forum of the Human Rights Council, which was devoted to the right to development. In the same month, he participated in an event to launch the "Global Education Digest 2011, Focus on Secondary Education: The Next Great Challenge", organized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in New York.

7. In February 2012, the Special Rapporteur addressed the inaugural session of the International Conference on "Emerging Concerns in International Law", organized in New Delhi by the Indian Society of International Law. In March, during the nineteenth session of the Human Rights Council, he participated in a side event entitled "Right to Education through Apprenticeship: A New Challenge?", organized by Apprentissages sans Frontières. In May, the Special Rapporteur participated in the Third International Congress on Technical and Vocational Education and Training in Shanghai, China, which examined ways of transforming technical and vocational education to be more responsive to contemporary social and economic needs. Also in May, he addressed the opening session of the Fourth International Policy Dialogue Forum: Teacher Challenges for Education for All, in New Delhi. In June, the Special Rapporteur gave the keynote address at the UNESCO International Forum on Post-Conflict Education, "Learning to Live Together", organized in Bishkek, Kyrgyzstan.

II. Importance of technical and vocational education and training

8. The knowledge, skills and competencies imparted by education are generally understood as primary vehicles for the empowerment of individuals and the promotion of social and economic development. Technical and vocational education and training is frequently recognized as being instrumental in confronting the challenges of unemployment and underemployment, both in developed and developing countries. Ensuring adequate and relevant technical and vocational education and training is central to responding to the diverse aspirations and needs of individuals and societies in a rapidly globalizing world. In this context, increased attention to such education and training is evidenced in all regions of the world, in appreciation of its potential to contribute to individual development and employability, as well as to stimulate economic and social development.[4]

[4] The importance of education, training and lifelong learning for social development and employment is recognized by International Labour Organization Recommendation No. 195 concerning Human Resources Development: Education, Training and Lifelong Learning (2004).

9. Technical and vocational education and training is seen "as a cornerstone for the transformation of education and training",[5] which is indeed crucial, given increasing concerns about rising unemployment, particularly among educated youth. As acknowledged by the World Bank, "The dynamic forces of the knowledge economy, accompanied by changing markets, scientific and technological advances, and increasing globalization and internationalization, call for a new face of skills and competencies".[6] In this context, enhanced attention must be paid to modernizing technical and vocational education and training curricula and to the quality of the education provided.[7]

10. International experience demonstrates that adapting to an increasingly diversified student population calls for providing various learning pathways, including in technical and vocational subjects.[8] New approaches to education and training are crucial to meet the demand for new skills in an increasingly knowledge- and skills-based society. Accordingly, technical and vocational education and training systems must respond to the demand for upgrading skills and the acquisition of new ones, which are instrumental in the creation of new employment opportunities. Such education and training can also stimulate creative skills and promote the arts. Concerns with environmental degradation, poverty eradication and sustainable development have motivated new approaches to technical and vocational education and training with consideration given to the promotion of skills required by the emerging "'green' economy".[9] In June 2012, the United Nations Conference on Sustainable Development also underscored the importance of supporting educational institutions to develop quality and innovative programmes, including technical and vocational training and lifelong learning, geared to bridging skills gaps in order to advance sustainable development objectives (A/CONF.216/L.1, para. 235).

11. As detailed below, many countries have adopted new laws, policies and strategies, recognizing the empowering role of technical and vocational education and training in people's lives and in socioeconomic development. "The 21st century's need for new skills to match advances in information, communication and technology has initiated the return of TVET to the international agenda",[10] as evidenced by multiple initiatives at national and international levels.

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[5] Q. Tang, "TVET for a Changing World: Global Developments, Local Resonance", *Norrag News*, No. 46 (2011), p. 14.

[6] Yoo Jeung Joy Nam, "Pre-Employment Skills Development Strategies in the OECD", *Social Protection & Labor* (World Bank, 2009), p. 3, para. 1.1.

[7] The Special Rapporteur addressed the need for a normative framework for quality in education in his last report to the Human Rights Council (A/HRC/20/21).

[8] See, e.g., the Netherlands Initiative for Capacity Development in Higher Education (NICHE), Strategy on Technical and Vocational Education and Training (2010).

[9] UNESCO, Shanghai Consensus: Recommendations of the Third International Congress on Technical and Vocational Education and Training, "Transforming TVET: Building Skills for Work and Life" (2012).

[10] NICHE, Strategy on Technical and Vocational Education and Training (2010), p. 2.

III. International and regional political commitments to promote technical and vocational education

12. At the international level, promotion of technical and vocational education and training includes fulfilling both the Education for All (EFA) agenda and the Millennium Development Goals. At the World Education Forum (2000), it was acknowledged that youth and adults are often denied access to skills and knowledge necessary for gainful employment. Meeting "basic learning needs", as defined by the World Conference on Education for All (1990) and emphasized by the EFA agenda,[11] is closely related to the promotion of technical and vocational education and training. Accordingly, the forthcoming EFA Global Monitoring Report will examine more extensively the EFA agenda in relation to youth and skill development.

13. The United Nations Millennium Declaration (2000) and the accompanying Millennium Development Goals provide a global agenda for reducing poverty and improving lives, including through the promotion of access to education. Millennium Development Goal 2, to achieve universal primary education, is an enabling factor for technical and vocational education and training. Millennium Development Goal 3, to promote gender equality and empower women, is relevant for technical and vocational education and training, namely, to eliminate gender disparity in primary and secondary education, and in all levels of education no later than 2015.

14. The central role of education in accelerating progress towards all Millennium Development Goals was recognized by the General Assembly in the context of the High-level Plenary Meeting on the Millennium Development Goals in 2010 (resolution 65/1, para. 71 (c)). Technical and vocational education and training is often regarded as a powerful tool in poverty reduction and development strategies, as it provides individuals with the requisite qualifications and skills to enable them to contribute to various sectors of the economy. "TVET is extremely suitable for contributing to national socioeconomic development and meeting the Millennium Development Goals through human resources development. When TVET curricula are focused on creating 'job-creators' (self-employed workers) rather than 'job-seekers', unemployment in developing countries can be reduced, thereby allowing developing countries to get closer to meeting the MDGs".[12]

15. A number of other recent international meetings have further underlined the importance of technical and vocational education and training today. The Ministerial Declaration of the High-level Segment of the substantive session of the Economic and Social Council in 2011 recognized that "Education and training should contribute to sustained, inclusive and equitable economic growth by developing requisite skills, in line with the labour market requirements and development needs of countries, taking into account the importance of gender equality and the empowerment of women in promoting sustainable development".[13] It also underlined the importance of "Encouraging the provision and mainstreaming of

[11] The sixth goal of Education for All is "Improving all aspects of the quality of education and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills".

[12] NICHE, Strategy on Technical and Vocational Education and Training (2010), p. 3.

[13] E/2011/L.28, para. 9 (a).

skills development and training in technical, technological and vocational schools, taking into account national and local development needs, and in cooperation with relevant economic actors".[14]

16. New directions on the changing landscape of technical and vocational education and training were provided recently at the Third International Congress on Technical and Vocational Education and Training, "Transforming TVET: Building Skills for Work and Life", organized by UNESCO and hosted by the Government of China in Shanghai from 14 to 16 May 2012. The outcome document[15] of that Congress provides new guidance to States on transforming technical and vocational education and training for green economies and societies in the light of climate change, and rising global unemployment and inequalities. It also recognizes the importance of adapting technical and vocational education and training programmes to rapidly changing labour market demands, economies and societies; of integrating technical and vocational education and training with information and communication technologies; and of developing mechanisms to promote the involvement of relevant stakeholders in the planning and implementation of these programmes.

17. A global strategic initiative on technical and vocational education and training has emanated from UNESCO, which adopted a five-year strategy for the sector in 2009.[16] Consequently, the work of UNESCO in this field has focused on the provision of upstream policy advice and related capacity development, and the clarification of the concept of skills development and improvement of monitoring. Moreover, in the same year, UNESCO partnered with the International Labour Organization (ILO), the World Bank, the Organization for Economic Cooperation and Development (OECD), the European Commission, the European Training Foundation and the Asian Development Bank to establish the Inter-Agency Group on Technical and Vocational Education and Training with the aim of coordinating activities in the technical and vocational education and training field, particularly in developing countries.

18. The importance of technical and vocational education and training is also recognized at the regional level; for example, it is considered a key issue in the African region.[17] The Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa, presented at the Conference of Ministers of Education of the African Union in May 2007, underlines the need to modernize and harmonize TVET in Africa in order "to transform it into a mainstream activity for African youth development, youth employment and human capacity-building in Africa".[18] The African Union Summit on the theme "Accelerating youth empowerment for sustainable development" in 2011 also called for the accelerated use of technical

[14] E/2011/L.28, para. 9 (g).

[15] UNESCO, Shanghai Consensus: Recommendations of the Third International Congress on Technical and Vocational Education and Training (2012). See www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/outcomesdocumentFinalwithlogo.pdf.

[16] UNESCO, Decisions adopted by the Executive Board at its 181st session in 2009. See also K. King, "A Technical and Vocational Education and Training Strategy for UNESCO" (2009).

[17] "Promoting critical knowledge, skills and qualifications for sustainable development in Africa" was the main thrust of the Triennale of the Association for the Development of Education in Africa (Ouagadougou, February 2012).

[18] Meeting of the Bureau of the Conference of Ministers of Education of the African Union (Addis Ababa, 2007).

and vocational skills development to empower youth and promote entrepreneurship.[19] In West Africa, traditional apprenticeships are considered generally to offer the largest opportunity for acquiring employable skills in the informal sector.

19. In the Arab region, the lack of appropriately skilled young workers is reported to account for the prevailing unemployment among youth, especially educated youth.[20] The Regional Expert Meeting for the Arab States, organized in Muscat, Oman, in March 2012 in view of the Third International Congress on Technical and Vocational Education and Training, mentioned above, addressed the major challenges facing Arab States in the next decade for creating employment for the millions of people entering the labour market, and ensuring that job-seekers have both qualifications and appropriate skills and competences, which are currently lacking.

20. In the Asia-Pacific region, with almost two thirds (65 per cent) of the world's population of illiterate adults and with 40 per cent of those who remain out of school, daunting challenges remain in terms of quality of the education and skills, especially occupational skills, required for growth in today's society. At a UNESCO regional meeting on Education for All and the post-2015 global education development agenda organized in May 2012 in Bangkok, experts underlined the key importance of a human rights-based approach for equipping young people with the skills necessary in a changing world.

21. The Latin American region is also in search of innovative ways to harness the potential of technical and vocational education. According to an evaluation on recent trends in technical education in the region, "One of the greatest challenges facing vocational training and educational transformation in the region, while responding to the demands of the labour market and to local and national development is the organization of education and training circuits that open paths to employment for youth ... there is broad agreement in the region on the role of secondary education in the development of general and transversal competencies and knowledge".[21]

22. The Montego Bay Declaration, adopted at the Caribbean Conference on Technical and Vocational Education and Training in March 2012, recognizes the profound implications of technical and vocational education and training in the twenty-first century with radically different knowledge-based economies and societies in which such education and training represents an integral component of lifelong learning. The Declaration contains a set of recommendations to assist "in harnessing the power and potential of TVET in order to build and maintain a sustainable future for all in the Caribbean".[22]

23. While a diverse range of initiatives taken and declarations adopted at international and regional levels, such as those mentioned above, reflect important commitments of Governments, it is international treaties that form the normative

[19] African Union, Decisions adopted during the 17th African Union Summit, 2011, p. ii.

[20] "Arab Regional Agenda for Improving Education Quality (ARAIEQ)", Concept note (UNESCO, Beirut, 2011).

[21] C. Jacinto (ed.), *Recent Trends in Technical Education in Latin America*, UNESCO International Institute for Educational Planning (Paris, 2010), pp. 21 and 16.

[22] University of the West Indies/UNESCO, Montego Bay Declaration on Technical and Vocational Education and Training (TVET) in the Caribbean (2012), Preamble, para. viii.

backbone for technical and vocational education and training policies and programmes, and the legal framework for promoting normative action at the national level in line with State obligations.

IV. International norms and technical and vocational education and training

A. International human rights standards

24. State obligations regarding the provision of technical and vocational education and training as part of the right to education are established in international human rights instruments. Under human rights law, technical and vocational education in fact "forms an integral element of all levels of education".[23] The Universal Declaration of Human Rights stipulates, in article 26, that "Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit". That provision implies links between technical and vocational education and higher education.

25. The International Covenant on Economic, Social and Cultural Rights establishes the right to technical and vocational education and training as part of the rights to education and to work. In its General Comment No. 13 on the right to education, the Committee on Economic, Social and Cultural Rights has indicated that, whereas article 13 (2) (b)[24] of the International Covenant presents technical and vocational education as part of secondary education, article 6, paragraph 2, underscores that technical and vocational education has a wider role, helping "to achieve steady economic, social and cultural development and full and productive employment". Considering the empowering nature of education and its role in preparing for a world of work, the rights to education and to work are inextricably interrelated.

26. According to the Committee on Economic, Social and Cultural Rights, the right to technical and vocational education includes the following aspects: "(a) It enables students to acquire knowledge and skills which contribute to their personal development, self-reliance and employability and enhances the productivity of their families and communities, including the State party's economic and social development; (b) It takes account of the educational, cultural and social background of the population concerned; the skills, knowledge and levels of qualification needed in the various sectors of the economy; and occupational health, safety and welfare; (c) It provides retraining for adults whose current knowledge and skills have become obsolete owing to technological, economic, employment, social or other changes; (d) It consists of programmes which give students, especially those from developing countries, the opportunity to receive TVE in other States, with a view to the appropriate transfer and adaptation of technology; and (e) It consists, in the context of the Covenant's non-discrimination and equality provisions, of programmes which promote the TVE of women, girls, out-of-school youth,

[23] Committee on Economic, Social and Cultural Rights, General Comment No. 13 (1999), para. 15.

[24] "Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education".

unemployed youth, the children of migrant workers, refugees, persons with disabilities and other disadvantaged groups".[25]

27. Other international human rights treaties further emphasize the obligation to promote technical and vocational education and training. States have obligations to promote equal opportunities for women and men in education, training and lifelong learning under the Convention on the Elimination of All Forms of Discrimination against Women. As outlined by the Committee on the Elimination of Discrimination against Women, human rights-based technical and vocational education and training also implies that in tackling tacit discrimination owing to obsolete traditional gender roles, women and girls should be encouraged to choose non-traditional fields of education and careers, such as intensive technical and vocational education and training in traditionally male-dominated areas. That could contribute to eliminating barriers and facilitating professional reinsertion of girls who dropped out of school.[26] States have the obligation to elaborate policies aimed at promoting the access of girls and women to technical and vocational education and training,[27] with proactive measures, including temporary special measures, to encourage and facilitate their participation and to contribute to the elimination of discrimination.[28]

28. The Convention of the Rights of the Child establishes, in article 28 (b), that States shall "encourage the development of different forms of secondary education, including general and vocational education". The Committee on the Rights of the Child has stressed the importance of providing vocational training at the end of compulsory education at the age of 12.[29] It has also underlined the need to ensure the availability of vocational training opportunities for all children and adolescents[30] on an equal basis for boys and girls, with priority given to children from vulnerable groups and children who dropped out of (primary or secondary)[31] school.[32] The Committee has put focus on those children who "left school without certificates, enabling them to acquire competencies and skills in order to enhance their work opportunities".[33]

B. Other internationally agreed norms

29. Other international instruments offer a more detailed framework for the provision of technical and vocational education and training and the responsibility of States in this context. As already mentioned, a normative framework for technical and vocational education and training is laid down by the UNESCO Convention on Technical and Vocational Education. Technical and vocational education and training is also recognized as a right in a number of instruments adopted by the International Labour Organization. The most relevant in this regard is Recommendation No. 195 concerning Human Resources Development: Education,

[25] Committee on Economic, Social and Cultural Rights, General Comment No. 13 (1999), para. 16.
[26] CEDAW/C/ETH/CO/6-7 (CEDAW, 2011); CEDAW/C/DJI/CO/1-3 (CEDAW, 2011).
[27] CEDAW/C/LKA/CO/7 (CEDAW, 2011).
[28] CEDAW/C/ZMB/CO/5-6 (CEDAW, 2011); CEDAW/C/ETH/CO/6-7 (CEDAW, 2011).
[29] CRC/C/AGO/CO/2-4 (CRC, 2010).
[30] CRC/C/PRY/CO/3 (CRC, 2010).
[31] CRC/C/NER/CO/2 (CRC, 2009); CRC/C/COD/CO/2 (CRC, 2009).
[32] CRC/C/BHR/CO/2-3 (CRC, 2011); CRC/C/MNE/CO/1 (CRC, 2010); CRC/C/CMR/CO/2 (CRC, 2010); CRC/C/NGA/CO/3-4 (CRC, 2010).
[33] CRC/C/ARG/CO/3-4 (CRC, 2010).

Training and Lifelong Learning (2004). Through various ILO instruments, the realization of the right to education for all is directly linked with employment and decent work, and social development.[34]

30. A number of key features can be identified through the above-mentioned international instruments and are described in paragraphs 31 to 35 below.

31. That technical and vocational education and training forms an integral element of all levels of education is clearly emphasized in the UNESCO Convention on Technical and Vocational Education. Technical and vocational education and training ranges from lower and upper secondary to post-secondary education, extending to tertiary-level education. It also cuts across educational sectors (formal or school-based, non-formal or enterprise-based, and informal or traditional apprenticeship). The UNESCO Revised Recommendation concerning Technical and Vocational Education underscores, in paragraph 2 (a), technical and vocational education as: "an integral part of general education".

32. The need to ensure equality of opportunity and to pay particular attention to marginalized groups is emphasized by article 2 of the UNESCO Convention on Technical and Vocational Education. Article 2, paragraphs (3) and (4), establishes that "States shall work towards the right to equal access to technical and vocational education and towards equality of opportunity to study throughout the educational process"; and that "States shall pay attention to the special needs of the handicapped and other disadvantaged groups and take appropriate measures to enable these groups to benefit from technical and vocational education". Similarly, article 5 (h) of ILO Recommendation No. 195 concerning Human Resources Development: Education, Training and Lifelong Learning (2004) establishes the responsibility of States to "promote access to education, training and lifelong learning for people with nationally identified special needs, such as youth, low-skilled people, people with disabilities, migrants, older workers, indigenous people, ethnic minority groups and the socially excluded; and for workers in small and medium-sized enterprises, in the informal economy, in the rural sector and in self-employment".

33. The importance of technical and vocational education and training for lifelong learning is also well recognized. According to paragraph 2 (c) of the UNESCO Revised Recommendation concerning Technical and Vocational Education, technical education should be understood as "an aspect of lifelong learning and a preparation for responsible citizenship". The Recommendation further stipulates, in paragraph 6, that "technical and vocational education should exist as part of a system of lifelong learning adapted to the needs of each particular country and to worldwide technological development". Likewise, ILO Recommendation No. 195 stipulates, in article 3 (a), that States should "facilitate lifelong learning and employability as part of a range of policy measures designed to create decent jobs, as well as to achieve sustainable economic and social development". According to article 4 (b) of the Recommendation, "the realization of lifelong learning should be based on the explicit commitment: by governments by investing and creating the conditions to enhance education and training at all levels; by enterprises in training their employees; and by individuals in developing their competencies and careers".

34. Based on experience and impact analysis, instruments may need to be reviewed and eventually adjusted so as to keep pace with evolving requirements of

[34] ILO, General Survey concerning employment instruments (Geneva, 2010), para. 111.

normative framework for technical and vocational education and training. This is foreseen in the UNESCO Revised Recommendation concerning Technical and Vocational Education (2001), which stipulates, in paragraph 100, that "Internationally recommended standards and norms should be continuously evaluated through sustained research on and monitoring of the effectiveness of their application in each country". The Shanghai Consensus, the recent outcome document of the Third International Congress on Technical and Vocational Education and Training suggested considering "the relevance and currency of UNESCO's Convention on Technical and Vocational Education (1989) and the Revised Recommendation concerning Technical and Vocational Education (2001), with a view to the possible development of new or revised normative instruments adapted to a changing world".

35. While recognizing the diversity of education systems and the need to promote the participation of multiple stakeholders in technical and vocational education and training, international instruments foresee the need to further develop normative frameworks to guide action in this regard. The UNESCO Convention on Technical and Vocational Education, in its preamble, deems it desirable "to develop common guidelines in technical and vocational education" considering that, in many countries, similar objectives are pursued and similar problems arise.[35] Similarly, ILO Recommendation No. 195, in paragraph 5 (a), encourages States to "define, with the involvement of the social partners, a national strategy for education and training, as well as establish a guiding framework for training policies at national, regional, local, and sectoral and enterprise levels". These guiding frameworks, with national laws and policies as a bulwark, can enrich national normative frameworks.

V. National legal and policy frameworks for technical and vocational education and training

36. International human rights treaties lay down obligations for accepting States which they must incorporate into domestic legal order. States parties to the UNESCO Convention on Technical and Vocational Education undertake to apply it "in accordance with the constitutional provisions and legislation of each Contracting State" (article 1, paragraph (c)).[36] Article 2, paragraph 2, of the Convention provides that "The general framework for the development of technical and vocational education shall be determined in each Contracting State by appropriate legislation or other measures". National laws and regulations, such as those described in this section, show the importance of developing the requisite legal framework for technical and vocational education and training to ensure its progressive availability to all.

[35] At the time of their adoption, the standards laid down in the ILO Convention were considered "pilot standards" on the contribution of vocational guidance and training (ILO, General Survey concerning employment instruments (Geneva, 2010), para. 110).

[36] Article 2, paragraph 1, also provides that "The Contracting States agree to frame policies, to define strategies and to implement, in accordance with their needs and resources, programmes and curricula for technical and vocational education designed for young people and adults, within the framework of their respective education systems, in order to enable them to acquire the knowledge and know-how that are essential to economic and social development as well as to the personal and cultural fulfilment of the individual in society".

37. Various instruments and strategies exist on technical and vocational education and training, the most relevant today being the UNESCO Revised Recommendation concerning Technical and Vocational Education (2001). The General Conference stipulated, in the related resolution, that "when developing and improving technical and vocational education, Member States should take whatever legislative or other steps may be required to give effect, within their respective territories, to the principles set forth in this Recommendation". As for strategies, one can mention the Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa (2007), which recognizes that "the major reforms concern the setting up of national training bodies, and the enactment of laws to strengthen national vocational training programmes".

A. National legal frameworks

38. Technical and vocational education and training can become elevated when provided as a constitutional right. For example, the Constitution of Morocco (as amended in 2011) provides for the right to modern education of quality and professional training in order to meet market demands (article 31).

39. Foundations of technical and vocational education and training in national laws and policies must be strengthened. National legal frameworks developed in many countries bear testimony to the importance attached to this field.

40. In Australia, the apprenticeship system involves a legal contract between the employer and the apprentice, and provides a combination of school-based and workplace training.

41. In Austria, apprenticeship training/technical and vocational education and training is organized in a dual education system, regulated by the Vocational Training Act,[37] in which company-based training of apprentices is complemented by compulsory part-time vocational school for apprentices.[38] The Austrian Vocational Training Act also establishes joint training systems aimed at specialized companies desiring to train apprentices.[39]

42. In Germany, the Vocational Education and Training Act (2005) establishes the framework for vocational training.[40] The Act regulates the vocational training system and establishes different responsibilities for the State, the unions, associations and chambers of trade, and industry. As in Austria and Switzerland, technical and vocational education and training is considered a dual system in Germany because vocational training is conducted in two places of learning — companies and vocational schools, with statutory regulations and within the framework of enterprises' agreement.[41]

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[37] See www.en.bmwfj.gv.at/Vocationaltraining/Apprenticeshipsandvocationaltraining/Seiten/default.aspx.

[38] See www.bmukk.gv.at/enfr/school/secon/app.xml.

[39] Yoo Jeung Joy Nam, 'Pre-Employment Skills Development Strategies in the OECD", *Social Protection & Labor* (World Bank, 2009), p. 48.

[40] Other important legislation includes the Regulation on Craft Trades; the Regulation on Trainer Aptitude; the Safety at Work for Young Workers Act; the Works Council Constitution Act; the Aid for Further Training for Advancement Act; and the Distance Learning Courses Act.

[41] U. Hippach-Schneider, M. Krause and C. Woll, "Vocational education and training in Germany: Short description", Cedefop Panorama Series, No. 138 (2007), p. 25 ff.

43. In the Republic of Korea, technical and vocational education and training is largely developed and run by the State, although there are diverse laws and regulations that provide for industrial training. The Industrial Education Promotion Act, the Vocational Education and Training Promotion Act, and the Framework Act on Qualifications form the legal basis on which vocational education is shaped and administered.[42] In April 2007, the Government changed its terminology from vocational high schools to professional high schools, thereby facilitating the entry of professional high school graduates to colleges and universities.[43] In this context, professional high schools — private and public — operate according to similar rules.

44. In China, the 1996 Vocational Education Law and the State Council's 2002 Decision on Vigorously Promoting the Reform and Development of Vocational Education and Training provide the basis for the technical and vocational education and training system. At the 2005 National Conference on Vocational Education and Training, the State Council issued the Decision on Accelerating the Growth of Vocational Education and Training as a guideline for technical and vocational education and training development during the eleventh five-year period (2006-2010).[44] Following compulsory education, a national examination determines entry into either a vocational or a general education track, with better results required for the general track. In 2010, more than 20 million students were reported to be in the vocational track.[45]

45. In Viet Nam, with the Vocational Training Law of 2006, a new three-tier qualification structure was introduced: (a) vocational elementary level provided in vocational training centres; (b) vocational secondary level provided in secondary vocational schools; and (c) vocational diploma level in vocational colleges.[46]

46. In Brazil, as a result of a number of initiatives at federal, State and municipal levels, opportunities for technical and vocational education and training have expanded rapidly over the last decade. In this process, a federal system for technical education was established through Law No. 11.892 in 2008. The law provides a regulatory framework for the establishment and functioning of technical schools. Additionally, Law No. 12.513 of 2011 established the National Programme for Access to Technical Education and Employment. The Programme regulates the federal support for the expansion of technical schools and the offer of fellowships to students at secondary level and workers, including those benefiting from cash transfer schemes. Technical schools are integrated into the rest of the education system, providing both secondary education as well as training for workers with various qualification levels. While recognizing the need to consider economic opportunities for students, a guiding document for the establishment of an integrated policy for technical education in Brazil[47] emphasizes the importance of preventing

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[42] OECD, "Learning for Jobs: OECD Reviews of Vocational Education and Training, Republic of Korea" (May 2009), p. 11.

[43] Ibid., p. 13.

[44] Yan Hao, "China's Vocational Education and Training: the Next Key Target of Education Promotion", East Asian Institute Background Brief No. 516, p. 1.

[45] OECD, "Learning for Jobs: OECD Reviews of Vocational Education and Training, Options for China" (2010), p. 15.

[46] *Technical and Vocational Education and Training (TVET) in Vietnam, A Brief Overview: Internal Working Material of "Promotion of TVET in Vietnam"* (2008).

[47] Ministério da Educação, "Educação profissional técnica de nível médio integrada ao ensino médio — Documento Base" (Brazil, 2007).

investments in education to be simply driven by immediate market demands. It also indicates that technical education should combine the development of particular skills with broad education goals, including by promoting democratic processes within schools.

47. In France, Law No. 2005-380 on orientation and programme for the future of school aims to reduce educational disparities by establishing common-core competences and by ensuring more individualized paths of acquiring competencies (i.e., an individual contract of educational success — *contrat individuel de réussite éducative*). In September 2009, the professional diploma (*baccalauréat professionnel*) was reformed, and the vocational diploma (*baccalauréat*) has been brought in step with the general and technological diplomas. Studies for vocational examinations can be undertaken within the school system in vocational high schools (*lycée professionnel*) or through apprenticeships.

48. In Italy, Law No. 133 of 2008 aims at the rational and effective use of funds in education and training, as part of the reform of the education system.[48]

49. In Malaysia, the Human Resources Development Act of 1992[49] establishes public-private partnership in technical and vocational education and training. In 1993, the Malaysian Human Resource Development Fund was created, which is funded through taxes levied on employers, with the aim of enhancing the role of private industry in providing technical and vocational education and training as a complement to State efforts to increase the pool of the trained, skilled workforce in the country. Resources provided through this fund must be spent on encouraging development and growth of employees' skills. The Act was considered to be instrumental in promoting increased enterprise training among all firms, but especially among medium-sized companies.[50]

50. The key importance of the national legal framework for technical and vocational education and training is indicated by the fact that countries having operational technical and vocational education and training systems (for example, Australia, Austria, Brazil, China, Germany, the Republic of Korea and Switzerland) also have an elaborate and effective legal and regulatory framework and mechanisms for stimulating and channelling such education and training to skills development and human development.

B. Policies and reforms of technical and vocational education and training systems

51. The need for further development of existing norms and standards for technical and vocational education and training, is also articulated, with legislation, in national policies and plans introducing reforms in technical and vocational education and training. Such reforms should take into account some key elements such as: multi-purpose secondary education offering diversified and skills-based curricula linking education to the world of work; facilitating pathways between technical and vocational education and training and higher education, with higher

[48] ILO, General Survey concerning employment instruments (Geneva, 2010), para. 120.

[49] See www.mylabourlaw.net/reference/5-human-resources-development-act-1992.php.

[50] H. Tan, "Malaysia's Human Resource Development Fund: An Evaluation of Its Effects on Training and Productivity" (World Bank, 2005).

education institutions offering flexible admission and programmes for professional specialization; improving quality of teaching materials and introducing curriculum reforms; and expanding the availability of opportunities for technical and vocational education and training within the education system, workplaces or the community at large. Special efforts should be made to ensure that national technical and vocational education seeks to meet international standards.

52. Technical and vocational education and training systems in a number of African countries are undergoing or have undergone reforms, with a number of countries adopting national policies and strategies for technical and vocational education and training (e.g., Burkina Faso, the Gambia, Ghana, Mali, the Niger, Nigeria and Senegal).[51] The African Union recommended promoting the integration of non-formal learning methodologies and literacy programmes into national technical and vocational education and training programmes, given that vast numbers of young people are outside the formal school system.[52]

53. In recent years, several countries have also invested in skills development programmes aiming at contributing to the empowerment of young people and providing them with sustainable livelihoods that can lead to the establishment of personal business.[53] For example, India has developed an ambitious National Policy on Skill Development, with a target of 500 million skilled workers by 2022. In Belgium, the Vocational Education Service (Flemish Community) aims to create the best possible qualification and development opportunities for individuals in vocational education as part of lifelong and life-wide learning. On the other hand, Ghana, Senegal and Swaziland, for example, have incorporated basic vocational skills into the lower or junior secondary school curriculum in an attempt to expose young people to pre-employment skills.[54] In Poland, the vocational training system has been reformed to improve the quality of vocational training and adapt the educational offer to the needs of a changing labour market.[55] Similarly, in Thailand, the vocational education system has been transformed and streamlined, creating pathways to tertiary education.[56]

54. Bringing about transformation in technical and vocational education and training, an area of crucial importance, especially in regions where there is a predominance of informal economy at the national level, relates to linking vocations and trades to this sector.

55. It is also desirable that Governments streamline the technical and vocational education and training public institutional framework so as to coordinate national effort in this field better, in view of the fact that, within Governments, there are

[51] International Growth Centre, "Lessons for Developing Countries from Experience with Technical and Vocational Education and Training", Working Paper 11/1017 (2012), p. 29.

[52] Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa, Meeting of the Bureau of the Conference of Ministers of Education of the African Union (Addis Ababa, 2007).

[53] Report on the implementation of the technical vocational education and training, Fifth ordinary session of the Conference of Ministers of Education of the African Union (Abuja, 2012), p. 8.

[54] Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa, Meeting of the Bureau of the Conference of Ministers of Education of the African Union (Addis Ababa, 2007).

[55] Regulations of the Minister of National Education of 23 December 2008.

[56] Regulations, Commission of Vocational Education, 2009, *Royal Gazette*, vol. 129, chap. 56 (25 June 2012).

often shared and overlapping responsibilities for various elements of technical and vocational education and training among departments and agencies.

1. Promoting social perception of technical and vocational education and training

56. As in the case of the teaching profession, the social perception of technical and vocational education and training, especially in developing countries, is often negative; instead of being a coveted choice, vocational education is among the least sought after. Making such education and training better esteemed is indeed a challenging task. In order to make it more attractive, a system of prizes and awards in the field of technical and vocational education and training could be instituted for rewarding the best performing students, encouraging professionalism and excellence. This is done in China, for example. Incentives for students can be given through the creation of opportunities for the progression of technical and vocational education and training students to higher education (for instance, the 20-25 per cent best performing).

2. Essential objectives in the accomplishment of technical and vocational education and training

57. While underlining the importance of technical education when responding to multiple social and economic challenges, it is always relevant to stress that the essential objectives of technical and vocational education and training are very much the same as the overall objectives of education. These are expressed in article 3, paragraph 3, of the UNESCO Convention on Technical and Vocational Education: "Technical and vocational education programmes should meet the technical requirements of the occupational sectors concerned and also provide the general education necessary for the personal and cultural development of the individual and include, inter alia, social, economic and environmental concepts relevant to the occupation concerned".

58. Mahatma Gandhi's saying that "for a person to be truly educated, you had to have a united approach, by training the mind to think, the hands to acquire skills and the heart, for human values and ethics" provides a good illustration of the mission of education, and the place of technical and vocational education and training in the overall education system. Technical and vocational education and training should nurture innovative and creative skills, develop critical thinking and cultivate work ethics with a sense of social responsibility. Therefore, efforts to reform and establish national education and training strategies should aim at "the development of individuals as active citizens by helping them to acquire the knowledge, skills and capacities required to participate in all spheres of social and economic life".[57]

VI. Quality and technical and vocational education and training qualifications assessment systems

59. Widespread concerns about quality education centre on low learning achievement levels, and even usefulness of education for gainful employment. As such, the assessment of a student's acquisition of knowledge, skills and

[57] International Labour Organization, General Survey concerning employment instruments (Geneva, 2010), para. 125.

competencies for technical and vocational education and training is important. The UNESCO Revised Recommendation concerning Technical and Vocational Education (2001) stipulates that Member States should, through the exchange of good practices and methods, aim to apply relevant and appropriate internationally recommended standards and norms relating to systems of assessment/evaluation; occupational qualifications and certification; and equipment and technical standards.

60. Similarly, ILO Recommendation No. 195 stipulates, in paragraph 11 (1), that "Measures should be adopted, in consultation with the social partners and using a national qualifications framework, to promote the development, implementation and financing of a transparent mechanism for the assessment, certification and recognition of skills, including prior learning and previous experience, irrespective of the countries where they were acquired and whether acquired formally or informally."

61. The adoption of national assessment systems for learning achievements on technical and vocational education and training and the establishment of national qualifications frameworks can provide coherence to technical and vocational education and training systems through the creation of equivalent qualifications across formal and informal sectors. In an endeavour to transform such education and training, countries in Latin America have adopted a competency-based approach, for example, the Occupational Competency Standardization and Certification Council in Mexico, the National Industrial Training Service in Brazil, and the National Training Service in Colombia.[58]

62. Similarly, in Africa, initiatives are being undertaken to establish national qualification frameworks.[59] The South African National Qualifications Framework provides a mechanism for awarding qualifications based on the achievement of specified learning outcomes prescribed by industry. It allows for accumulation of credits and recognition of prior learning, which promotes the culture of lifelong learning. Ghana has also recently passed an Act of Parliament that establishes the Council for Technical and Vocational Education and Training with overall responsibility for skills development in the country. Similarly, Mauritius has established a Mauritius Qualifications Authority in the technical and vocational education and training sector.

63. In developing national qualification frameworks, caution should be exercised so that the frameworks are not limited to technical competencies in technical and vocational education and training but also include social skills, values and attitudes, and are inspired by essential objectives of the right to education, mentioned above.

64. Qualification systems for connecting skills development and lifelong learning are also very important. The need for flexible and open learning and qualifications systems for technical and vocational education and training is associated with the recognition that learning takes place in multiple settings that go far beyond formal technical and vocational education and training. There is also need to bridge the divide between formal and non-formal/informal technical and vocational skills development. In line with ILO Recommendation No. 195, this can be done by

[58] C. Jacinto (ed.), "Recent trends in technical education in Latin America", UNESCO International Institute for Educational Planning (2010).

[59] For instance, the National Vocational Qualification Frameworks in Nigeria, or the National Skills Qualifications Framework in the Gambia.

"national qualification frameworks (NQF) and recognition of prior learning (RPL), with mechanisms and opportunities for the recognition and validation of experiential learning as well as rewarding and motivating all workers in the context of lifelong learning".[60]

65. Information and communication technologies have opened new paths to distance learning. As a result, technical and vocational education and training is also provided in a "virtual learning environment" by way of Internet-based education and training and e-learning and e-training initiatives. A multiplicity of learning sites and modes exist for delivering technical and vocational education and training. While such modes of delivery can provide for greater access to it, "online learning can also lead to deskilling of teachers through the fragmentation and segmentation of tasks. Moreover, providers of dubious quality are using Internet-based education and training simply to cut costs by undermining teachers' working conditions, particularly in off-shore provision".[61] This is an emerging issue which requires serious attention in the context of developments and policy reforms in technical and vocational education and training.

66. An essential prerequisite of quality technical and vocational education and training is to ensure the deployment and retention of qualified teachers. The provisions in the ILO/UNESCO Recommendation concerning the Status of Teachers (1966) are applicable to technical and vocational education and training, especially the provisions concerning preparation for the profession; continuing education, employment and career; the rights and responsibilities of teachers; conditions for effective teaching and learning; teacher salaries and social security; and emoluments and conditions of service. Instructors and teachers should possess the necessary qualifications, including advanced degrees and professional experience in related occupational fields. They should also have pedagogical skills and be motivated and committed to the profession. In this regard, mechanisms to ensure in-service training for teachers/educators in industry or enterprise, and continuing training in the use of information and communication technology, are especially necessary.

VII. Investment in technical and vocational education and training

67. In his last report to the General Assembly, the Special Rapporteur noted that budgetary provision for quality education was scarce, as almost the totality of resources assigned for education went to recurring expenditure, and he underlined the need for a paradigm shift to respond to quality imperatives (A/66/269, para. 55). He also called for expanding the base of financing quality education. In this regard, technical and vocational education and training should be given due consideration in view of its importance to socioeconomic development, and States should assume the primary responsibility for investing in technical and vocational education and training.[62]

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[60] Conclusions of the Association for the Development of Education in Africa, 2012 Triennale. See www.adeanet.org/triennale.

[61] Education International (EI), "Report of the EI Taskforce on Globalisation, the General Agreement on Trade in Services (GATS) and Vocational Education" (2007).

[62] See, e.g., ILO Recommendation No. 195 concerning Human Resources Development (2004).

68. Too often, however, inadequate resources impede the advancement of technical and vocational education and training. Moreover, it usually requires specialized infrastructure and facilities, which place additional pressures on already limited resources. The Special Rapporteur witnessed this at first hand during his country visits to Kazakhstan (A/HRC/20/21/Add.1, paras. 33-38), Senegal (A/HRC/17/29/Add.2, paras. 44-50) and Tunisia, where budget allocations for technical and vocational education and training were deficient.

69. In most countries, technical and vocational education and training often falls under ministries responsible for education, labour or science, although some specific vocational training programmes (e.g., agriculture, health and transport) fall under the supervision of other line ministries. All concerned ministries and departments should have a role and responsibility for mobilizing resources for technical and vocational education and training.

70. In this context, it is important to recall that human rights law clearly establishes State obligations to finance education utilizing the maximum available resources. As the Special Rapporteur has consistently urged, giving effect to these obligations requires various legal and policy instruments to ensure that any investment in technical and vocational education and training is predictable and sustainable.

71. Owing to stagnating and even diminishing education budgets, it is necessary to look for alternative financing strategies and adopt innovative approaches for securing enhanced budgetary provisions for technical and vocational education and training. While recognizing that States bear the primary obligation to provide such education and training, it is also important to boost the increasing use of a diverse range of funding mechanisms and diversify financing sources for technical and vocational education and training. For example, a system of resource contribution by industry and private sector (e.g., a 2 or 3 per cent levy) for a technical and vocational education and training fund could be envisaged in order to leverage existing resources for national technical and vocational education and training programmes, in particular for technical equipment and facilities. States may wish to consider sharing, to the maximum extent possible, funding for technical and vocational education and training with industry and the private sector, with Government providing appropriate incentives to this end. "Government and the private sector should recognize that technical and vocational education is an investment, not a cost, with significant returns."[63]

VIII. Public-private partnerships

72. Although States carry the primary responsibility for technical and vocational education and training, in a modern market economy, new partnerships among Government, employers, professional associations, industry, employees and their representatives, the local community and non-governmental organizations have become necessary for policy design and delivery of technical and vocational education and training, in addition to its financing. In this context, the normative framework established by ILO is especially important.

[63] UNESCO Revised Recommendation concerning Technical and Vocational Education (2001), annex, para. 9 (e).

73. Any such partnerships must be anchored by human rights,[64] especially the international legal framework for the right to education. States have the overall responsibility for monitoring and ultimately ensuring the realization of human rights in all types of partnerships with industry and the private sector. However, experience in monitoring the implementation of relevant ILO instruments shows that "the involvement of local communities in the design of training programmes, as well as in the management and control of training institutions, has become a key element in their reforms of education systems".[65]

74. In public-private partnerships, good practices should be encouraged and the exchange of available experiences can be mutually beneficial in promoting national level action. For example, with the support mainly of Germany, the Uganda Association of Private Vocational Institutions has developed into a strong organization in providing services to its members. In Ethiopia, the expansion of technical and vocational education and training programmes was facilitated by the private sector, with the support of public authorities.[66] In India, the Centurion University of Technology and Management (Orissa) — the only State-enacted University in the private sector with its strong industrial linkage through its Social Entrepreneurship Outreach (Gram Tarang) and its focus on community — has excelled in providing skills to students from rural areas.[67]

IX. Institutionalized collaboration with enterprises

75. Institutionalized collaboration between technical and vocational education and training institutions and enterprises deserves foremost attention, given prevalent weaknesses in this area, especially in developing countries. Forging sustainable linkages between technical and vocational education and training institutions and enterprises is essential for making this education and training system better responsive to skill demands, as well as better capacitated for contributing to industrial development. The rich experience available in developed countries, in particular with respect to the dual system of apprenticeship training (in schools and in enterprises based on an agreed framework), is most pertinent to the developing world.

76. Institutionalized collaboration among technical and vocational education and training institutions and enterprises and industry can be established on the basis of an agreed framework covering areas such as: (a) systematic consultation with enterprises in establishing vocational trades in technical and vocational education and training studies, and in catering to their skill requirements; (b) obligatory apprenticeship of certain duration for students in enterprises as part of such studies; (c) association of industry and entrepreneurs with school management; (d) participation of enterprises and industry in financing technical and vocational education and training institutions/programmes; (e) training schemes for technical and vocational education and training instructors and teachers in enterprises to

[64] See, e.g., document A/HRC/17/31, annex, principles 8 and 13.

[65] ILO, General Survey concerning employment instruments (Geneva, 2010), para. 116.

[66] "Implementation issues of diversified financing strategies for TVET", Deutsche Gesellschaft für Technische Zusammenarbeit (2007), pp. 17 and 18.

[67] The Gram Tarang was recognized as the best skill provider in 2012 by India's National Skill Development Corporation.

enable them to enrich practical experience; and (f) provision of incentives (including tax incentives) to enterprises which contribute to the development of this education and training.

X. Technical and vocational education and training and the post-2015 education agenda

77. The EFA agenda, with its thrust for meeting basic learning needs, is inextricably linked to the promotion of technical and vocational education. However, such education has not received the attention proportional to its importance for the achievement of the EFA objectives. The Special Rapporteur has been encouraging reflections on the post-2015 education agenda, particularly focusing on ensuring quality in education; the promotion of technical and vocational education and training should be a central concern in this regard. He is a proponent of the view that the future agenda for education should build upon and consolidate developments in many countries, modernizing national legislation and providing for basic education of longer duration, namely, nine years, including general secondary education. These developments should include technical and vocational education and training-based quality learning in order to meet the critical challenges of an increasingly globalized economy.

78. The Special Rapporteur has also been advocating the need for according a higher place to education on the international development agenda. In that perspective, too, technical and vocational education and training must receive especial consideration in the process of renewed engagement for the Millennium Development Goals, recognizing the leverage it provides in accelerating progress towards those goals, in particular its contribution to poverty reduction strategies. During the recent 2010 review process, States have recognized that investing in vocational training is instrumental in promoting full and productive employment and decent work for all. States have also committed to give "greater focus to the transition from primary education and access to secondary education, vocational training and non-formal education and entry into the labour market" (resolution 65/1, para. 71 (i)).

XI. Conclusions and recommendations

79. **International human rights instruments clearly establish technical and vocational education and training as part of both the right to education and the right to work. Transmission of knowledge, skills and competences through technical and vocational education and training, empowering its beneficiaries to play their roles in social development as active citizens, is a collective responsibility, falling primarily to States.**

80. **An emerging consensus on the importance of technical and vocational education and training is confirmed by numerous initiatives taken in all regions of the world to introduce reforms in technical and vocational education and training systems while responding to quality imperatives in education. Such initiatives are thus propelled by a variety of skill requirements in rapidly changing of economies of the twenty-first century.**

81. **In this context, industry and the private sector are emerging as an important stakeholder in the provision of technical and vocational education and training. It is, however, clear that, from a right to education perspective, key responsibility devolves upon States. They remain not only providers of such education and training but also have a promotional as well as protective and facilitating role. Their responsibility is crucial for devising a comprehensive and high-quality technical and vocational education and training system that is respectful of human rights, in particular, the right to education.**

A. Principles

82. **A certain number of principles can guide State action in the establishment, expansion and consolidation of technical and vocational education and training systems.**

1. Principle of social justice and equity

83. **The principle of social justice, which is at the core of the global mission of the United Nations to promote development and human dignity, also underpins human rights. Social justice and equity are of perennial importance in terms of foundations not only of EFA but also of technical and vocational education and training-based approaches to poverty reduction strategies and the role of technical and vocational education and training in the context of the Millennium Development Goals. They are invaluable for bridging the widening gap between rich and poor and harnessing technical and vocational education and training for the common well-being.**

2. Principle of humanistic rather than mere utilitarian vision of education

84. **Today, the humanistic mission of education is being vitiated. Hence the critical importance of this principle, so that the system of education in general, and of technical and vocational education and training in particular, is inspired by a humanistic rather than a mere utilitarian vision of education.**

3. Principle of social interest in education and education as a public good

85. **Education should be central to the notion and concepts of global public goods and the intellectual commons which are increasingly being discussed in international forums. Education benefits both the individual and the society and its sanctity should be safeguarded by avoiding its mercantalization, geared towards commercial gains only. Education should be preserved as a public good so that it does not become devoid of social interest.**

4. Principle of equality of opportunity and access to education

86. **This is a fundamental principle enshrined in almost all United Nations human rights treaties, and it is of paramount importance in face of persistent disparities and growing inequalities in education. The system of technical and vocational education and training should admit of no discrimination or exclusion, and learning opportunities should be equally accessible to all.**

5. Principle of social dialogue, partnerships and participation

87. **This principle is crucial in devising and operationalizing the system of technical and vocational education and training, with the involvement of social partners and multiple stakeholders. It emanates from human rights law as also from ILO and UNESCO instruments relating to technical and vocational education and training.**

B. Recommendations

88. **In line with the above principles, and having looked extensively into technical and vocational education and training from a right to education perspective, the Special Rapporteur would like to offer the recommendations set out below.**

1. Ensure that technical and vocational education systems integrate overall education goals

89. **States should ensure that instead of remaining a separate stream, the technical and vocational education and training system is an integral part of general secondary education, with pathways leading to its pursuit at the tertiary level. Technical and vocational education and training should not only cater to the possible technical requirements of occupational sectors but also develop social skills and critical thinking, and it should be consistent with the right to education, laid down by the Universal Declaration of Human Rights and by the United Nations human rights treaties, as highlighted in the present report.**

2. Develop comprehensive legal frameworks for technical and vocational education and training

90. **States should adopt comprehensive legal frameworks in line with international norms and standards. Such frameworks should establish the roles and responsibility of various State and non-State actors involved in the provision of technical and vocational education and training, with consultation mechanisms for meaningful participation of all social partners and multiple stakeholders, including community and local bodies.**

91. **Such a legal framework could consider promoting public-private partnership, with policies and incentives encouraging the private sector to collaborate with public authorities. Moreover, institutionalized collaboration between technical and vocational education and training schools and industry and enterprises should be established.**

3. Regulate private providers of technical and vocational education and training

92. **In keeping with the UNESCO Revised Recommendation concerning Technical and Vocational Education, which, in its article 17 (c), provides that "all technical and vocational education programmes, including those offered by private bodies, should be subject to approval by the public authorities", the State should ensure that private providers of technical and vocational education and training conform to international and national norms and standards, and**

do not convert the technical and vocational education and training system into mere commercial ventures. Particular attention should be devoted to ensuring that a multiplicity of learning sites for delivery of technical and vocational education and training programmes in a "virtual learning environment" conform to quality standards, and are subjected to stringent control by public authorities, with sanctions in case of abusive practices.

4. Promote investment in technical and vocational education and training

93. **States should ensure that adequate and sustained financial support is available to technical and vocational education and training, recognizing the importance of national investment in this sector. In order to maximize resources available for technical and vocational education and training from diversified sources, States should devise mechanisms with necessary incentives for investments by industry, enterprises, and regional and local bodies. Resources for technical and vocational education and training should also be utilized optimally.**

5. Empower women and girls with equal access to technical and vocational education and training

94. **States should pay particular attention to the empowerment of women and girls in the provision of technical and vocational education and training, also encouraging them to choose non-traditional fields of education and careers. National policies should seek to eliminate gender stereotypes and barriers to the professional development of women.**

6. Make technical and vocational education and training equitably accessible to marginalized groups

95. **States should pay particular attention to making technical and vocational education and training accessible to marginalized and vulnerable groups, targeting in particular ethnic and linguistic minorities, persons with disabilities and migrants, and especially those living in poverty. Devoid of equitable approaches, technical and vocational education and training can accentuate prevailing inequities and deprivation to the detriment of the right to education for all. Promoting equity and inclusion through positive measures should be a key factor in the provision of technical and vocational education and training.**

7. Ensure quality in the provision of technical and vocational education and training

96. **States should ensure a high quality of technical and vocational education and training and adopt necessary quality norms and standards, along with a national qualifications framework and assessment systems for technical and vocational education and training, applicable uniformly throughout the country. They should also develop effective policies aimed at improving the quality of teaching and learning. Special consideration should be given to developing policies and frameworks for professionalizing technical and vocational education and training staff, and improving their status, working conditions and career perspectives, with particular attention to instructors in secondary level vocational schools.**

8. Put in place monitoring and evaluation mechanisms for technical and vocational education and training

97. **States should put in place monitoring and evaluation mechanisms for assessing the performance and quality of technical and vocational education and training, provided both by public and private entities. As recommended in the Shanghai Consensus, UNESCO, in consultation with Member States and other concerned organizations, should "explore the possibility of setting up an international task force to develop international guidelines on quality assurance for the recognition of qualifications, based on learning outcomes, and identify a set of world reference levels, to facilitate the international comparison and recognition of technical and vocational education and training qualifications".**

98. **States should provide support to civil society organizations in their role of promoting and monitoring technical and vocational education and training initiatives.**

9. Establish international technical cooperation for the promotion of technical and vocational education and training

99. **International cooperation, well established by human rights law and often reiterated in international political commitments for technical and vocational education and training, is particularly important for support to countries with feeble capacities in such education and training. International bodies such as UNESCO, ILO, UNICEF and the World Bank should be encouraged to continue their work in providing policy advice and support services. Along with development partners, they should provide technical assistance to governments in their efforts to develop technical and vocational education and training systems.**

10. Raise public debate for improving technical and vocational education and training and disseminating practical examples

100. **Public debate should be raised over critical issues in technical and vocational education and training and the right to education. Universities and education centres should support research for improving the system of technical and vocational education and training, and practical experiences in promoting it should be made widely known.**

11. Enhance the status and public image of technical and vocational education and training

101. **The status of technical and vocational education and training and its social perceptions that associate this type of education with students presenting low academic achievements must be transformed. Public authorities and civil society organizations should support campaigns to raise the attractiveness of this strategic educational sector.**